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United Nations

Report of the Committee on the Elimination of Discrimination against Women

(Fourteenth session)

General Assembly
Official Records • Fiftieth Session
Supplement No. 38 (A/50/38)

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LETTER OF TRANSMITTAL

3 February 1995

Sir,

I have the honour to refer to article 21 of the Convention on the Elimination of All Forms of Discrimination against Women, according to which the Committee on the Elimination of Discrimination against Women, established pursuant to the Convention, "shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities".

The Committee on the Elimination of Discrimination against Women held its fourteenth session from 16 January to 3 February 1995 at United Nations Headquarters. It adopted the report on the session at its 284th meeting, on 3 February. The report is herewith submitted to you for transmission to the General Assembly at its fiftieth session.

(Signed) Ivanka CORTI
Chairperson
Committee on the Elimination of
Discrimination against Women

His Excellency Mr. Boutros Boutros-Ghali
Secretary-General of the United Nations
New York

I. MATTERS BROUGHT TO THE ATTENTION OF STATES PARTIES

A. General recommendation 22 (fourteenth session)

Amending article 20 of the Convention

The Committee on the Elimination of Discrimination against Women,

Noting that the States parties to the Convention on the Elimination of All Forms of Discrimination against Women, at the request of the General Assembly, will meet during 1995 to consider amending article 20 of the Convention,

Recalling its previous decision, taken at its tenth session, to ensure effectiveness in its work and prevent the building up of an undesirable backlog in the consideration of reports of States parties,

Recalling that the Convention is one of the international human rights instruments that has been ratified by the largest number of States parties,

Considering that the articles of the Convention address the fundamental human rights of women in all aspects of their daily lives and in all areas of society and the State,

Concerned about the workload of the Committee as a result of the growing number of ratifications, in addition to the backlog of reports pending consideration, as reflected in annex I,

Concerned also about the long lapse of time between the submission of reports of States parties and their consideration, resulting in the need for States to provide additional information for updating their reports,

Bearing in mind that the Committee on the Elimination of Discrimination against Women is the only human rights treaty body whose meeting time is limited by its Convention, and that it has the shortest duration of meeting time of all the human rights treaty bodies, as reflected in annex II,

Noting that the limitation on the duration of sessions, as contained in the Convention, has become a serious obstacle to the effective performance by the Committee of its functions under the Convention,

1. Recommends that the States parties favourably consider amending article 20 of the Convention in respect of the meeting time of the Committee, so as to allow it to meet annually for such duration as is necessary for the effective performance of its functions under the Convention, with no specific restriction except for that which the General Assembly shall decide;

2. Recommends also that the General Assembly, pending the completion of an amendment process, authorize the Committee to meet exceptionally in 1996 for two sessions, each of three weeks' duration and each being preceded by pre-session working groups;

3. Recommends further that the meeting of States parties receive an oral report from the chairperson of the Committee on the difficulties faced by the Committee in performing its functions;

4. Recommends that the Secretary-General make available to the States parties at their meeting all relevant information on the workload of the Committee and comparative information in respect of the other human rights treaty bodies.

B. Suggestions

Suggestion 7. Elements for an optional protocol to the Convention

Background

1. The Vienna Declaration and Programme of Action, adopted by consensus by States Members of the United Nations at the 1993 World Conference on Human Rights, stresses the need for women to make effective use of existing procedures under international human rights instruments. It also emphasizes the need for the adoption of new procedures and, in particular, a petition procedure for the Convention on the Elimination of All Forms of Discrimination against Women. It states that the "Commission on the Status of Women and the Committee on the Elimination of Discrimination against Women should quickly examine the possibility of introducing the right of petition through the preparation of an optional protocol to the Convention".

2. The question of the preparation of a protocol to the Convention was discussed by the Committee at its thirteenth session in 1994. In its suggestion 5, the Committee asked the Commission on the Status of Women to request that an expert group meeting be convened during 1994, "composed of 5 to 10 independent experts with a knowledge of the different forms of civilization and of the principal legal systems". The expert group was asked to prepare a draft optional protocol to the Convention and the report of that meeting was to be presented to the Committee for its comments and to the Commission for action. The Committee also designated one of its members to prepare a paper on the subject for its 1995 session.

3. The Committee regrets that, at the thirty-eighth session in 1994, the Commission on the Status of Women did not convene an expert group meeting. The Commission decided however that, at its thirty-ninth session in 1995, in cooperation with the Committee, it would examine the feasibility of introducing the right of petition through the preparation of an optional protocol to the Convention, taking into account the results of any governmental expert group meeting on the question that might have been convened. The decision of the Commission on the Status of Women was echoed by the Economic and Social Council in its resolution 1994/7.

4. Bearing in mind the decision of the Commission on the Status of Women, and in order to expedite matters, the Maastricht Centre for Human Rights at the University of Limberg, in conjunction with the International Human Rights Law Group, with the financial assistance of the Governments of the Netherlands and Australia, convened an expert group meeting during 1994. Participants were drawn from different regions and from different legal systems, had a knowledge of international law and experience of the other human rights treaty bodies and included three members of the Committee. The draft optional protocol prepared by the expert group drew on existing international and regional procedures. The draft, together with other relevant documents, served as the basis for discussion by the Committee at its fourteenth session. As a result of those discussions, the overwhelming majority of the members of the Committee suggested that the following ideas be submitted to the Commission on the Status of Women

for consideration. One member of the Committee expressed her reservation with regard to paragraphs 8 and 12 to 26.

Elements of an optional protocol

5. States parties to the Convention should have the option to ratify or accede to the optional protocol. "State party" in this section means one that has ratified or acceded to the optional protocol.

6. Two procedures should be envisaged: a communications procedure and an inquiry procedure.

7. Communications may be submitted by an individual, group or organization suffering detriment from a violation of rights in the Convention or claiming to be directly affected by the failure of a State party to comply with its obligations under the Convention or by a person or group having a sufficient interest in the matter.

8. Communications would be in writing and confidential.

9. The admissibility of a communication would be subject to the following:

(a) The communication would be inadmissible if a State party to the Convention had not ratified or acceded to the optional protocol;

(b) It should not be anonymous;

(c) It should disclose an alleged violation of rights or an alleged failure of a State party to give effect to obligations under the Convention;

(d) It should relate to acts or omissions that occurred after the State party ratified or acceded to the Convention, unless the violation or failure to give effect to those obligations or the impact continued after the protocol took effect for that State party;

(e) It should not be an abuse of the right to submit a communication;

(f) A communication would be declared inadmissible by the Committee if all domestic remedies had not been exhausted, unless the Committee considered that requirement unreasonable. If the same matter was being examined under another international procedure, the Committee would declare the communication inadmissible unless it considered that procedure unreasonably prolonged;

(g) The communication would be inadmissible if the author, within a reasonable period, failed to provide adequate substantiating information.

10. Pending examination of a communication, the Committee should have the right to request that the status quo be preserved, and a State party should give an undertaking to that effect, in order to avoid irreparable harm. Such a request should be accompanied by information confirming that no inference could be drawn that the Committee had determined the merits of the communication.

11. While the State party would be informed confidentially of the nature of the communication, the author's identity would not be revealed without that person's consent. The State party would, within a specified period, provide replies or information about any remedy. While the process of examination continued, the

Committee would work in cooperation with the parties to facilitate a settlement which, if reached, would be contained in a confidential report of the Committee.

12. The Committee would examine communications in the light of all information provided by the State party or by the author or received from other relevant sources. All such information would be transmitted to the parties for comment. The Committee would set its procedures, hold closed meetings when examining communications and, as a whole Committee, adopt and transmit views and any recommendations to the parties. While examining a communication, the Committee might, with the agreement of the State party concerned, visit its territory.

13. When the whole Committee considered that the communication had been justified, it might recommend remedial measures or measures designed to give effect to obligations under the Convention. The State party would remedy violations and implement recommendations. It would also ensure that an appropriate remedy (which might include adequate reparation) was provided. It would also provide the Committee within a set period with details of the remedial measures taken.

14. The Committee should have the power to initiate and continue discussions concerning such measures and remedies and have the power to invite the State party to include such information in its reports under article 18 of the Convention.

15. The Committee would, in its report, summarize the nature of communications received, its examination of them, the replies and statements of the States parties concerned and its views and recommendations.

16. The Committee would have the power to delegate to a working group its responsibilities under this section. The working group would report to the Committee and the Committee alone would have the power to adopt views and make recommendations.

Inquiry procedure

17. If the Committee received reliable information indicating a serious or systematic violation by a State party of rights under the Convention or of a failure to give effect to its Convention obligations, the Committee should have the right to invite that State party to cooperate in examining the information and in submitting observations on it. After considering those observations and any other relevant information, the Committee should have the power to designate one or more of its members to conduct an inquiry and report urgently to the Committee.

18. Such an inquiry would be conducted with the cooperation of the State party and might, with its agreement, include a visit to its territory.

19. Following the examination of the findings, which would be transmitted to the State party, the latter would have a set period in which to make observations in response.

20. The inquiry would be conducted confidentially and at all stages with the cooperation of the States parties.

21. The Committee would encourage the State party to discuss the steps taken by it as a consequence of the inquiry. Those discussions might be continued until a satisfactory outcome was achieved. The Committee might ask the State party to

report on its response to the inquiry in its report under article 18 of the Convention.

22. After completing all those steps, the Committee would be empowered to publish a report.

23. When ratifying or acceding to the optional protocol the State party would undertake to assist the Committee in its inquiries and to prevent any obstacles to, or victimization of, any person who provides the Committee with information or assists it in its inquiries.

General matters

24. States parties would publicize the protocol and its procedures, the Committee's views and any recommendations concerning a communication received or inquiry conducted.

25. The Committee would develop rules and procedures that would enable it to conduct its work fairly, efficiently and, as necessary, urgently.

26. Meeting time of not less that three weeks per annum and resources, including expert legal advice, would be made available to enable the Committee to conduct its work under the Convention.

27. Procedures for the signing, ratification, accession and entry into force of the protocol should be prescribed.

28. No State-to-State communication procedure should be included and no reservations permitted.

29. Procedures for amendment and denunciation and the authentic texts of the protocol should be prescribed.

Suggestion 8. Follow-up to the International Conference on Population and Development

The Committee on the Elimination of Discrimination against Women,

Recognizing the importance of maintaining effective communication and meaningful dialogue with United Nations bodies active in the field of human rights in general and women's rights in particular,

Considering the need to ensure its participation and involvement in activities of relevance to its work which are taking place within the framework of the United Nations system-wide action,

Affirming its support for the Programme of Action of the International Conference on Population and Development, held in Cairo from 5 to 13 September 1994, and its centrality to the goal of gender equality and the empowerment of women throughout the world,

Recalling the provisions of articles 10 (h), 12 and 16 (e) of the Convention on the Elimination of All Forms of Discrimination against Women with respect to, among other things, the right of access to family health and family planning education, the right to equality in health care services, the right to

receive appropriate pregnancy and childbirth services, and the right to equality in deciding freely and responsibly on the number and spacing of children,

Noting the importance of women's reproductive health as a pre-condition to their enjoyment of all other human rights and freedoms, including the fundamental right to life, on a basis of equality with men,

Noting also the information received by the Committee at its fourteenth session from the World Health Organization on HIV/AIDS and women's human rights in the context of the Convention,

Recalling the comments in the report of the fifth meeting of persons chairing the human rights treaty bodies (A/49/537, annex), encouraging cooperation with the specialized agencies and other United Nations bodies to ensure consistency in the application of related provisions of the human rights treaties and other international instruments,

1. Decides to employ the reporting mechanism under the Convention on the Elimination of All Forms of Discrimination against Women so as to follow the implementation of the Programme of Action of the International Conference on Population and Development with respect to women's human rights;

2. Decides also that the Committee shall develop a jurisprudence of standards of international law in the field of women's reproductive health;

3. Requests the Chairperson of the Committee to consult with the Executive Director of the United Nations Population Fund on the possibility of convening a meeting of the chairpersons of all the human rights treaty bodies to promote the effective exchange of information among them, as well as the coordination with the relevant organs of the United Nations system, as regards the follow-up to the Programme of Action with respect to human rights.

C. Decisions

Decision 14/I

1. The Committee decides that its concluding comments developed on the basis of a constructive dialogue with each State party should be sent in the language of adoption to each State party separately from the report and immediately after the conclusion of each session of the Committee.

2. The Committee notes that the summary records of the Committee's thirteenth session were only received at the fourteenth session and were incorrect and incomplete. Therefore, the Committee decides to request the Secretariat to ensure that the summary records are complete and issued in a timely manner in order to facilitate correction.

3. The Committee notes that the Spanish translation of the Convention issued by the Department of Public Information of the Secretariat is inaccurate, in particular article 10 (h) thereof. The Committee decides to request the Secretariat to review all translations issued by the Department of Public Information to ensure their accuracy.

4. The Committee expresses its wish to review as soon as possible the draft Platform for Action, which will be discussed at the Fourth World Conference on

Women. It requests the Secretariat to send copies to the members of the Committee.

Decision 14/II

The Committee on the Elimination of Discrimination against Women,

Recalling that the Vienna Declaration and Programme of Action, 1/ adopted in June 1993, recognizes that the human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights, and stressing that, as a consequence, the human rights of women should form an integral part of United Nations human rights activities, including the promotion of all human rights instruments relating to women,

Taking into account the recommendation of the meeting of the persons chairing the human rights treaty bodies at their third, fourth and fifth meetings, 2/ that the Committee be located at Geneva with servicing provided by the Centre for Human Rights of the Secretariat,

Recalling that, at its last few sessions, the Committee has considered the advantages for women's human rights if they are integrated into the mainstream of the United Nations treaty bodies,

Recalling also resolution 38/2 of 18 March 1994 of the Commission on the Status of Women 3/ on the mainstreaming of women's human rights, and resolution 1994/45 of 4 March 1994 of the Commission on Human Rights 4/ on integrating the rights of women into the human rights mechanisms of the United Nations,

Noting that the Committee at its annual meetings considers issues which have expanded both in number and in substance, and which therefore reflect the increasing relevance of women's human rights,

Bearing in mind that article 20.2 of the Convention should be applied in such a way that States parties could be encouraged to present their reports on schedule,

1. Requests the Secretary-General to locate the Committee on the Elimination of Discrimination against Women at Geneva with servicing provided by the Centre for Human Rights;

2. Also requests that the Secretary-General provide the Committee with the necessary staff and facilities for the effective performance of the functions of the Committee in accordance with article 17.9 of the Convention on the Elimination of All Forms of Discrimination against Women, and keeping in mind the link with the Division for the Advancement of Women;

3. Declares that the roles that the Commission on the Status of Women and the Committee play are important in making the general human rights work of the United Nations more gender conscious and in promoting the universal and indivisible human rights of women, and therefore requests the Secretary-General to ensure that the link between the Commission on the Status of Women and the Committee be maintained, the continued implementation of article 21.2 of the Convention being one such link;

4. Urges the Secretary-General to expedite the implementation of the present decision without delay.

Decision 14/III

The Committee on the Elimination of Discrimination against Women,

Bearing in mind that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and the equal rights of men and women,

Reaffirming the importance of the Convention on the Elimination of All Forms of Discrimination against Women as the only human rights instrument for the promotion and protection of women's human rights,

Recalling that the articles of the Convention address the fundamental human rights of women in all aspects of their daily lives and in all areas of society and the State,

Noting the key role that the Committee on the Elimination of Discrimination against Women has to play in making the general human rights work of the United Nations more gender conscious and in promoting the universal and indivisible human rights of women,

Recognizing the function of the Committee in elaborating a jurisprudence of international standards for women's human rights,

Recognizing also the Committee's responsibility to develop and foster a relationship with specialized agencies which share common areas of concern affecting women,

Noting that the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights emphasized that the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights and stressed that these rights should be integrated into the mainstream of United Nations system-wide activities,

Convinced of the need to ensure its active participation in activities of relevance to its work which are taking place within the framework of United Nations system-wide action,

Recalling its previous decision to be represented at, and actively contribute to, the overall work of the Fourth World Conference on Women: Action for Equality, Development and Peace, to be held in Beijing from 4 to 15 September 1995,

1. Reaffirms its decision to participate in the Fourth World Conference on Women: Action for Equality, Development and Peace and requests the Secretariat to take all necessary measures to facilitate and ensure the participation of the Committee;

2. Requests the Secretariat to be the focal point for organizing a thematic meeting, to the extent possible, with members of other treaty bodies and specialized agencies attending the Fourth World Conference on Women, and to implement the technical and administrative arrangements set forth in this report;

3. Decides to transmit, as its contribution to the Fourth World Conference on Women, its report on the progress achieved in the implementation of the Convention on the Elimination of All Forms of Discrimination against

Women and requests the secretariat of the Conference to ensure wide dissemination of the report;

4. Declares that the Committee on the Elimination of Discrimination against Women is an essential mechanism within the framework of the international machinery that should be entrusted with the task of monitoring and periodically reviewing the implementation of the Platform for Action concerning the human rights of women.

D. Other matters

Adequate meeting time to consider reports of States parties

Background

1. At its thirteenth session, the Committee on the Elimination of Discrimination against Women concluded: 5/

> "12. The backlog of reports pending consideration by the Committee is now very large and is growing since the number of States parties is increasing. Moreover, if an effort is made to encourage States with overdue reports to submit them, the size of the backlog will increase further. If States currently parties to the Convention were to report on schedule, the Committee would be expected to consider 30 reports per session. There is now an average of three years between the time a State party submits its report and its consideration by the Committee. This is itself a disincentive to report and leads to the need for the State to present additional information to update the report which, in turn, increases the volume of documentation that must be considered by the Committee.
>
> "13. The limitation on the duration of sessions of the Committee contained in the Convention has become a serious obstacle. The temporary extension of sessions to three weeks cannot be expected to eliminate the backlog."

Status of reports

2. States parties undertake to submit an initial report within one year after the entry into force of the Convention for the State concerned, and at least every four years thereafter. As of 31 October 1994, 35 initial reports, 34 second periodic reports and 34 third periodic reports were overdue. The status of reports submitted to the Committee and pending consideration was as follows: 13 initial reports, 19 second periodic reports, 18 third periodic reports and 2 fourth periodic reports (CEDAW/C/1995/2).

3. At its fourteenth session, the Committee had for its consideration the reports of 13 States parties composed of six initial reports, three second periodic reports, four third periodic reports, two fourth periodic reports and one report on an exceptional basis. For comparison, it is worth noting the number of reports scheduled for consideration by other human rights treaty bodies at each of their 1995 sessions as shown below.

Committee on the Rights of the Child	6-7
Human Rights Committee	5
Committee Against Torture	8
Committee on Economic, Social and Cultural Rights	4-5
Committee on the Elimination of Racial Discrimination	6-10

Meeting time

4. For further comparison, it is worth noting the 1995 session schedules of the human rights treaty bodies. CEDAW convened its fourteenth annual session for an exceptional period of three weeks. The Committee on the Rights of the Child scheduled three 3-week sessions in 1995, with pre-session working groups. The Human Rights Committee scheduled two sessions, the first of which for a period of six weeks. The Committee Against Torture scheduled three sessions, each for a duration of two weeks. The Committee on Economic, Social and Cultural Rights scheduled two 3-week sessions, with one pre-session working group. Finally, the Committee on the Elimination of Racial Discrimination scheduled two 3-week sessions.

Conclusion

5. In her opening statement to the fourteenth session of the Committee, Mrs. Gertrude Mongella, Secretary-General of the Fourth United Nations World Conference on Women, said the following:

> "A central concern of the World Conference on Human Rights was that women's rights should be fully integrated into United Nations work on human rights. The question of integration is not an easy one. There is a consensus that there are two requirements for successful integration. The first is that the 'mainstream' bodies in any field recognize the importance of incorporating women's concerns into their work. The second requirement is that there be strong institutions concerned specifically with women. It is here that the Committee is crucial.
>
> "In future, the work of the Committee will increase. As of today there are 139 States parties to the Convention. Based on indications I have received ... many more States will become party over the course of the year. Furthermore, the Platform for Action will undoubtedly place emphasis on universal ratification, without reservations, by the year 2000.
>
> "If all the current States report on schedule, you will have to consider 35 reports each year. That would be three times the number you currently consider and, if universal ratification is achieved, it would be almost four times.
>
> "The work of the Committee has been hampered by the limitation of the meeting time contained in the Convention itself."

II. ORGANIZATIONAL AND OTHER MATTERS

A. States parties to the Convention

6. On 3 February 1995, the closing date of the fourteenth session of the Committee on the Elimination of Discrimination against Women, there were 139 States parties to the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in its resolution 34/180 of 18 December 1979, and opened for signature, ratification and accession in New York in March 1980. In accordance with article 27, the Convention entered into force on 3 September 1981.

7. A list of States parties to the Convention is contained in annex I to the present report.

B. Opening of the session

8. The Committee on the Elimination of Discrimination against Women held its fourteenth session at United Nations Headquarters from 16 January to 3 February 1995. The Committee held 25 plenary meetings (260th to 284th meetings) and its two working groups each held 5 closed meetings.

9. The session was opened by the Chairperson of the Committee, Ivanka Corti (Italy), who had been elected at the twelfth session of the Committee in January 1993.

10. In her opening statement, made on behalf of the Secretary-General of the United Nations, the Secretary-General of the Fourth World Conference on Women, Gertrude Mongella, welcomed the new and re-elected members of the Committee and extended her gratitude to the experts who had completed their service to the Committee. She also welcomed the appointment of the Special Rapporteur, Radhika Coomaraswamy, on violence against women pursuant to Commission on Human Rights resolution 1994/45 of 4 March 1994.

11. She emphasized that the current session was taking place at the beginning of the year which would see the Fourth World Conference on Women and which marked the fiftieth anniversary of the United Nations. She stressed that the revised draft Platform for Action, to be considered by the Commission on the Status of Women at its thirty-ninth session, would set out action to be taken in the area of women's human rights, which would not only shape the Committee's work, but would also support new directions for the Committee and its work as a contribution to the Fourth World Conference and the implementation of the Platform for Action.

12. She recalled that a central concern of the World Conference on Human Rights was that women's human rights should be fully integrated into the work of the United Nations on human rights. She said that this integration was dependent on two factors: the recognition by other human rights bodies of the importance of incorporating women's concerns into their work; and the strengthening of institutions concerned specifically with women as well as the deepening of relationships among them. In the context of the first factor, she informed the Committee that discussions had been held between the Division for the Advancement of Women and the Centre for Human Rights on developing a joint plan of activities, that the Commission on the Status of Women had requested the Division to report to it on a joint plan of activities with the Centre, that the

new focal point on women of the Centre for Human Rights had visited the Division, and that staff members of the Division had participated in the work of other human rights institutions and mechanisms.

13. The Secretary-General of the Fourth World Conference on Women indicated that the work of the Committee plays a decisive role in the human rights report. Currently there were now 139 States parties to the Convention and many other States were moving towards ratification. This, combined with the predicted emphasis in the Platform for Action on universal ratification, would significantly increase the work of the Committee. She reminded the Committee that the limitation on its meeting time imposed by the Convention currently impeded its work, but that a special meeting of States parties to the Convention would take place on 22 May 1995 to consider revision of that aspect of the Convention and that its recommendations would be considered by the General Assembly at its fiftieth session. To allow the Committee to carry out its mandated effectively, there is a need to strengthen the servicing of the Committee.

14. She informed the Committee that a State party had withdrawn reservations to the Convention and that the World Conference on Women would undoubtedly recommend to others to follow suit. At its forty-sixth session, the Subcommission on Prevention of Discrimination and Protection of Minorities had again requested the Secretary-General to obtain the Committee's views as to whether it would be desirable to have an advisory opinion on the question of reservations.

15. She recalled that the Committee has recommended the creation, by means of an optional protocol, of a procedure for communications to the Committee and she noted that a draft protocol, based on a draft prepared by an expert group meeting convened by some non-governmental organizations with financial assistance provided by some Governments had been circulated by one of the Committee members for consideration during the current session. Any views of the Committee after such consideration would be conveyed to the Commission on the Status of Women.

16. The Secretary-General of the World Conference noted that the Committee intended to revise its rules of procedure and guidelines for the preparation of national reports. She also drew attention to General Assembly resolution 49/221 B of 23 December 1994 related to summary records and invited the Committee to review its need for such records.

17. She drew the attention of the Committee to General Assembly resolution 49/162 of 23 December 1994 on the integration of older women in development and to resolution 1994/5 of the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights requesting it to include in the guidelines on reporting of the Committee an item concerning contemporary forms of slavery.

C. Membership and attendance

18. In accordance with article 17 of the Convention, the seventh meeting of States parties to the Convention was convened by the Secretary-General at United Nations Headquarters on 7 February 1994. The States parties elected 12 members of the Committee from among the candidates nominated to replace those whose term of office was due to expire on 16 April 1994.

19. All members of the Committee attended the fourteenth session except Ms. Gurdulich de Correa; however, Ms. Muñoz-Gómez attended from 17 January to 3 February 1995, Ms. Garcia-Prince from 16 to 20 January and from 30 January to 3 February, Ms. Sunaryati Hartono from 16 to 20 January and from 1 to 3 February, and Ms. Mervat Tallawy from 16 to 27 January 1995.

20. A list of members of the Committee, together with an indication of the duration of their terms of office, appears in annex II to the present report.

D. Solemn declaration

21. At the opening of the fourteenth session, before assuming their functions, the newly elected members, Tendai Ruth Bare (Zimbabwe), Desiree Patricia Bernard (Guyana), Aurora Javate de Dios (Philippines), Miriam Yolanda Estrada Castillo (Ecuador), Sunaryati Hartono (Indonesia), Ginko Sato (Japan) and Carmel Shalev (Israel), and the five re-elected members, Charlotte Charity Abaka (Ghana), Emna Aouij (Tunisia), Ivanka Corti (Italy), Lin Shangzhen (China) and Mervat Tallawy (Egypt), made the solemn declaration as provided for under rule 10 of the rules of procedure of the Committee.

E. Election of officers

22. At its 260th meeting, on 16 January, the Committee elected the following officers by acclamation for a term of two years (1995-1996), in accordance with article 19 of the Convention on the Elimination of All Forms of Discrimination against Women and rules 13 and 14 of the Committee's rules of procedure: Ivanka Corti (Italy), re-elected as Chairperson; Emna Aouij (Tunisia), Evangelina García-Prince (Venezuela) and Lin Shangzhen (China), Vice-Chairpersons; and Hanna Beate Schöpp-Schilling (Germany), Rapporteur.

F. Adoption of the agenda and organization of work

23. The Committee considered the provisional agenda and organization of work (CEDAW/C/1995/1) at its 261st meeting, on 16 January. The agenda as adopted was as follows:

1. Opening of the session.

2. Solemn declaration by the new members of the Committee.

3. Election of officers.

4. Adoption of the agenda and organization of work.

5. Report of the Chairperson on activities undertaken between the thirteenth and fourteenth sessions of the Committee and consideration of the report of the fifth meeting of persons chairing the human rights treaty bodies and action taken by the General Assembly concerning treaty bodies.

6. Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.

7. Implementation of article 21 of the Convention on the Elimination of All Forms of Discrimination against Women.

8. Ways and means of expediting the work of the Committee.

9. Contributions of the Committee to international conferences.

10. Provisional agenda for the fifteenth session.

11. Adoption of the report of the Committee on its fourteenth session.

G. Report of the pre-session working group

24. The Committee had decided at its ninth session 6/ to convene a pre-session working group for five days before each session to prepare lists of questions relating to the second and subsequent periodic reports that would be considered by the Committee at the session. The Committee, wishing to reflect the ideas and views of its various members, decided that it should continue to submit to the Secretariat draft questions on specific countries and articles of the Convention prior to the meeting of the working group. In accordance with the decision of the Committee at its thirteenth session, the pre-session working group met at United Nations Headquarters from 9 to 13 January 1995.

25. In accordance with the provisional agenda of the Committee (CEDAW/C/1995/1), the working group had to prepare a list of questions for five countries: Argentina, Finland, Peru, Norway and the Russian Federation.

26. The working group consisted of four members as follows: Salma Khan (Chairperson), Evangelina García-Prince, Pirkko Anneli Mäkinen and Ahoua Ouedraogo.

27. At its 266th meeting, on 19 January, the Chairperson of the pre-session working group introduced the report of the group (CEDAW/C/1995/CRP.1). Members adopted the report containing the list of questions, which was sent to the States parties concerned.

H. Composition and organization of work of the working groups

28. At its 265th meeting, on 18 January, the Committee agreed on the composition of its two standing working groups: Working Group I to consider ways and means of expediting the work of the Committee and Working Group II to consider ways and means of implementing article 21 of the Convention.

29. Working Group I was composed of the following members of the Committee: Desiree Patricia Bernard, Carlota Bustelo García del Real, Ivanka Corti, Liliana Gurdulich de Correa, Salma Khan, Lin Shangzhen, Elsa Victoria Muñoz-Gómez, Hanna Beate Schöpp-Schilling, Kongit Sinegiorgis and Mervat Tallawy.

30. Working Group II was composed of the following members of the Committee: Charlotte Abaka, Emna Aouij, Gül Aykor, Tendai Ruth Bare, Carlota Bustelo García del Real, Silvia Rose Cartwright, Aurora Javate de Dios, Miriam Yolanda Estrada Castillo, Evangelina García-Prince, Sunaryati Hartono, Salma Khan, Pirkko Anneli Mäkinen, Ahoua Ouedraogo, Ginko Sato, Carmel Shalev, Lin Shangzhen, Kongit Sinegiorgis and Mervat Tallawy.

Working Group I

31. The Secretariat proposed the following draft programme of work for Working Group I:

(a) Reports to be considered by the Committee at its fifteenth session (CEDAW/C/1995/6, chap. VIII);

(b) Dates of the fifteenth session of the Committee;

(c) Review of the need for summary records (General Assembly resolution 49/221 (statement by the Secretary-General of the Fourth World Conference on Women); format of the annual report of the Committee (question of inclusion of summaries of the consideration of the reports of States parties: statement by the Secretary-General of the Fourth World Conference on Women));

(d) Issues raised by the fifth meeting of persons chairing the human rights treaty bodies (see A/49/537, annex), particularly the question of the venue of the Committee's session and the location of its secretariat (ibid., para. 51);

(e) Funding for activities undertaken by the Chairperson between sessions of the Committee;

(f) Procedure for examination of reports of States parties, including procedure for and content of notification of States parties concerning the consideration of the report;

(g) Technical and administrative arrangements concerning the participation of the members of the Committee in the Fourth World Conference on Women;

(h) Review of the rules of procedure (CEDAW/C/1995/6, chap. II), including the role of non-governmental organizations;

(i) Review of the general guidelines for the preparation of initial and periodic reports (ibid, chap. III);

(j) Any additional views on reservations, following a request of the Subcommission on Prevention of Discrimination and Protection of Minorities (resolution 1994/43, statement by the Secretary-General of the Fourth World Conference on Women);

(k) An integrated management system on human rights (American Association for the Advancement of Science);

(l) Link with the focal point on the human rights of women of the Centre for Human Rights;

(m) Provisional agenda for the fifteenth session;

(n) Nomination of members of the pre-session working group.

Working Group II

32. The Secretariat proposed the following draft programme of work for Working Group II:

(a) The Committee's contribution to the Fourth World Conference on Women: the "Compendium" and any other contribution;

(b) Optional Protocol;

(c) United Nations Educational, Scientific and Cultural Organization document on CEDAW, Decade of Human Rights Education;

(d) General recommendation on articles 7 and 8;

(e) Follow up with regard to the International Conference on Population and Development;

(f) General recommendation on article 2;

(g) The Committee's input to the World Summit for Social Development.

33. Members of the Committee expressed their concern for setting priorities in their work in the working groups in order to finish the most pressing business.

III. REPORT OF THE CHAIRPERSON ON THE ACTIVITIES UNDERTAKEN BETWEEN THE THIRTEENTH AND FOURTEENTH SESSIONS OF THE COMMITTEE

34. At the 261st meeting, the Chairperson of the Committee, in her introductory statement, said that the Committee had proven itself to be an important human rights body, and she summarized the numerous activities she had undertaken since the thirteenth session. She pointed out that in 1994 the attitude of various United Nations bodies towards the Committee had been very positive. She outlined the decisions of the fifth meeting of persons chairing the human rights treaty bodies, which took place at the United Nations Office at Geneva from 19 to 23 September 1994. The meeting touched on women's human rights generally and the Committee in particular. She noted that for the first time, the report of the chairpersons contained a section relating specifically to the Committee which criticized the resource constraints experienced by it. It also recommended that the Committee, during its current session, take a decision on whether it should be based, like all other human rights treaty bodies, at the Centre for Human Rights at Geneva.

35. The Chairperson informed the Committee that information exchange took place on a regular basis between the Centre for Human Rights at Geneva and, through her and some of the designated experts, the Committee. She noted the appointment of the "focal point" for women's human rights in the Centre. She also informed the Committee that the Special Rapporteur on Violence against Women was in attendance at this session and that she would address the Committee.

36. The Chairperson described efforts which she had made to establish closer cooperation with the specialized agencies of the United Nations. The United Nations Educational, Scientific and Cultural Organization (UNESCO) hosted a meeting attended by five members of the Committee that resulted in a "manifesto" relating to gender-inclusive culture through education, to be approved by the Committee and to be discussed in a joint UNESCO/CEDAW workshop at the Fourth World Conference on Women, to be held at Beijing. Initial contacts have been made with the United Nations Children's Fund (UNICEF) and the United Nations Population Fund. Concrete steps to foster collaboration with other specialized agencies, as well as the International Labour Organization have not yet been taken.

37. The Chairperson stressed the role of non-governmental organizations in publicizing the Convention and the work of the Committee and noted particularly the contribution of International Women's Rights Action Watch, with its regular "IWRAW to CEDAW report", and the International Human Rights Law Group, which had co-hosted an expert meeting sponsored by some Governments, to develop a proposal for an optional complaints protocol for the Convention.

38. The Chairperson outlined the tasks before the Committee during this session. They would include consideration of the proposed optional protocol to introduce a right of petition under the Convention, any contribution that the Committee might like to make to the World Summit for Social Development, the Committee's role in the follow-up to the International Conference on Population and Development, its role in the Decade for Human Rights Education and the contribution of the Committee to the Fourth World Conference on Women.

39. In response to concerns expressed by members of the Committee regarding the lack of resources available to the Chairperson to undertake her inter-sessional

activities, the Deputy Director of the Division for the Advancement of Women indicated that general resources for the Committee were appropriated by the General Assembly based on the provisions of the Convention and subsequent decisions of the Assembly. Some travel expenses of the Chairperson had been financed from savings of these resources during 1994, and, on several occasions, the Division had undertaken to assist the Chairperson in communicating with members of the Committee.

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

A. Introduction

40. At its fourteenth session, the Committee considered the reports submitted by 10 States parties under article 18 of the Convention: 2 initial reports, 3 combined 7/ initial and second periodic reports, 3 second periodic reports, 2 third periodic reports and 2 fourth periodic reports. The Committee also considered one report submitted on an exceptional basis. As decided at its thirteenth session, the Committee prepared concluding comments on each report considered. Furthermore, it prepared concluding comments on four reports considered during the thirteenth session which were deferred to the fourteenth session. For the status of the submission of reports by States parties, see annex IV to the present report.

41. The Committee's consideration of reports of the States parties is summarized below, with a summary of the introductory presentations by the representatives of the States parties, of the observations made and the questions asked by the members of the Committee, the replies given by the representatives of the States parties present at the meetings, as well as the concluding comments to the reports as prepared by two members of the Committee respectively. The summary records provide more detailed information on the reports submitted by States parties.

B. Consideration of reports

1. Initial reports*

Bolivia

42. The Committee considered the initial report of Bolivia (CEDAW/C/BOL/1 and Add.1) at its 262nd, 263rd and 267th meetings, on 17 and 20 January 1995 (see CEDAW/C/SR.262, 263 and 267).

43. In introducing the report, the representative of Bolivia said that the time that had elapsed between the submission of the initial report in 1991 and its presentation in 1995 had created a difficulty for the country because during that time the Government had changed and, consequently, major changes had occurred with regard to the policy of equality. After many years of dictatorship, the country was completing its first decade of democracy. At the same time, there was a general economic crisis and structural adjustments had taken place. As a result, many social issues had had to be postponed owing to the priority given to macroeconomic stabilization. The representative said that her country had an extensive history of active women's movements. Those organizations had played an important role in returning the country to democracy and had laid the groundwork for governmental action for the advancement of women and for developing social policies aimed at achieving equality and alleviating poverty.

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* Including subsequent reports, if submitted, in those cases where the initial report of the State party had not yet been considered by the Committee.

44. The three major changes were the reform of the Executive Branch with a decentralization in decision-making, the establishment of the Office of the Under-Secretary for Gender Affairs within the Ministry of Human Development and reforms of the Constitution and the legal framework in keeping with market economy, which refer to Bolivia as a multiethnic, multicultural country. The representative said that while the initial report had given the impression that de jure equality was fully implemented and that obstacles resided only in the practical implementation, there were still laws and practices that violated the principle of equality. Whereas formerly social policy had been dealt with sectorally in various administrative units, the programme for women created in 1992 under the National Institute for Minors, Women and the Family and, later, the National Secretariat for Ethnic, Gender and Generational Affairs created in 1993, had proposed sectoral policies for the female population to ensure an across-the-board gender perspective.

45. The most important policy measure was the Law on Popular Participation, which had decentralized the State and its financial resources, recognized the legal status of grass-roots organizations, provided government funding for those organizations, respected people's traditions and customs, integrated gender-equality and laid down the principle of equal opportunity and empowered administrations at all levels to establish programmes for women. Another important step was the enactment of the Law on Education Reform, which laid down the principle of free, universal and mandatory education without cost, based on the principle of equal opportunity and gender equality. Unlike the past attempt of enforced "Hispanization", bilingual and multicultural education was presently foreseen, from which, in particular, girls and women would profit. A further important step was the adoption of the National Plan for the Prevention and Eradication of Violence. It demonstrated the Government's understanding that lack of respect for human rights was also an obstacle to development and showed its particular concern for domestic violence. It was being carried out through an interministerial task force and provided free legal and health care services to female victims of violence.

46. The representative said that although women continued to carry the major burden of poverty, changes would be introduced through the implementation of participatory planning. She highlighted the most important recent changes, as described in the addendum to the initial report, and underlined that the most important message she wanted to bring was that Bolivia had institutionalized its public policies with a gender approach.

General observations

47. The Committee commended the well-structured and frank report, which adhered to the general guidelines, and its sincere and objective presentation. It demonstrated the political will of the country and was well placed within the national realities by showing that the Government was aware of the obstacles that had to be overcome. The new legislative and administrative reforms demonstrated very positively the integrated approach taken regarding women's issues. They commended the fact that Bolivia had ratified the Convention without entering reservations and congratulated the Government on its future plans to implement further the Convention, and in particular to redress the situation of indigenous and rural women. Members were favourably impressed by the reform of the Executive Branch and the creation of the National Secretariat for Ethnic, Gender and Generational Affairs. They commended the establishment of an inter-ministerial task force and the measures undertaken and commissions created to eradicate violence against women, and in particular domestic violence between the spouses as well as between the first and second degree of

consanguinity. They also considered commendable the steps taken to elaborate a health code. They welcomed the efforts made to present Bolivia as a multicultural and multiethnic society.

48. In reply to observations made by the members that the Government should take measures to incorporate the Convention into national legislation and to questions as to whether the Convention could presently be invoked in the courts and whether any initiatives existed to incorporate the provisions of the Convention into the Constitution, the representative stated that the Convention had become part of Bolivian legislation on 15 September 1989 and could be invoked before the courts. While at the time of preparing the initial report the Convention had been very little known by judges and other public authorities, more and more lawyers were now taking recourse to the Convention.

49. Members recommended as one of the priority tasks that an inventory be made of the laws that were still discriminatory to women in an effort to amend them. They asked how motivated the Government was to bringing national laws into line with the requirements of the Convention and whether it was done systematically or on an ad hoc basis. In reply, the representative said that the national Secretariat had an Office of Legal Reform, which had the task of bringing Bolivian legislation into line with the requirements of the Convention. The representative mentioned the amendments that were being made to several laws, such as the Law on Domestic Workers regarding their working hours, the General Labour Law regarding excessive protectionism of women, the Law on Domestic Violence that should repeal article 276 of the Penal Code and the Family Code regarding age of marriage, free choice of occupation and reasons for divorce. Further amendments concerned the articles concerning sexual violence with the aim of treating domestic violence as an ex officio offence, the Health Code and Property Law that should give women access to property, as well as the Law on Political Parties. Furthermore, changes in favour of women were being made to various municipal decrees.

50. Members recommended that the low number of women in decision-making positions should be considered as a critical area of concern. Asked about the outlook for women to be better represented in political parties and in decision-making positions and any mechanisms for increasing women's participation, the representative said that although the Law on Popular Participation gave women equal opportunities, no quotas were foreseen. The Under-Secretariat for Gender Affairs was, however, considering temporary measures to remedy the situation.

51. Members expressed the hope that measures would be taken to correct the de facto discrimination often practised by employers. Considering that Bolivia's development index was at a rather alarming level, on the one hand, and that the Government's level of commitment seemed to be very high, on the other, it would be important for the country to submit its subsequent report on time and to place therein a greater focus on the programmes undertaken.

52. Bearing in mind that Bolivia was considered to have one of the fastest growing economies in Latin America, members inquired whether the recent economic growth had had a positive impact on the status of women. The representative explained that income distribution measures were being taken and that while local demands were being taken into account, the demands of women were being given particular attention. The Government was currently also elaborating gender statistics. A gender investigation and information mechanism had been put into action to study the impact of poverty on the female population.

53. As a reaction to the observation made by members that women should be encouraged to be aware of their legal rights and that lack of access to legal aid was often one of the obstacles to the advancement of women, the representative said that the major obstacles to the implementation of the Convention were resistance, prejudices and ignorance on the part of the judges about the contents of the Convention as well as the crisis in the actual legal system. All comments by members would be the basis for consideration for future national policies on women by Bolivia. In order to overcome those difficulties, the National Secretariat had started an awareness-raising and training programme for law officials.

54. Members commended the Government representative for her frank replies and expressed their hope that the next report would give an account of all the obstacles and failures encountered by the National Secretariat in carrying out its policies and would be supplemented by ample statistics. In thanking the members for the questions raised, the representative of the Government said that they would form the basis for future policies and serve as a guide in the elaboration of periodic reports.

Questions related to specific articles

Article 2

55. Members raised questions about the type of mechanisms through which the National Secretariat introduced sectoral policies, about its decision-making powers, its resources and the channels of cooperation with other government agencies. The representative replied that the mechanisms were focal points for rural development, education and popular participation, a few committees dealing with specific issues, various other connections at the societal and international levels and that the National Secretariat was represented in seven out of the nine provinces of the country. The National Secretariat could adopt mandatory resolutions and issue mandatory decrees and was working in coordination with the Parliamentary Women's Commission and all the political parties that were represented in the Parliament. It had sufficient resources, 25 per cent of which came from the national Government and 75 per cent from international assistance. Various other programmes had been carried out by other sources in the area of health and education, but it was difficult to quantify their impact on women.

56. In the light of the fact that Bolivia was still characterized by male domination, members inquired in what way the National Secretariat was ensuring that the Law on Popular Participation guaranteed equal opportunities at the grass-roots level. The representative mentioned in that context a plan designed by the National Secretariat, in collaboration with the National Secretariat for Popular Participation, which should strengthen non-governmental organizations at the local level and maintain a dialogue with the local political institutions in order to introduce the gender perspective at the municipal level. A transfer of financial resources on the basis of demographic criteria would support local programmes and women's programmes.

Article 3

57. When members inquired about the positive effects of the educational reform on girls in rural areas, the representative said that a striking example was the bilingual education in the Guaraní area. It had had a positive impact on the inherent problems of school desertion, the repeating of classes and the functional analphabetism.

58. Members welcomed the institutionalization of policies of equality in the country, particularly at times of frequent changes in political leadership, and pointed to the importance of mainstreaming the gender aspect within the development process.

Article 4

59. Members asked for concrete examples of temporary special measures, and whether any such measures were foreseen to correct the high illiteracy rate, the low employment rate of women and the low rate of participation of women in political decision-making or to protect indigenous and rural women. The representative said although presently no temporary special measures existed, the adoption of such measures was under discussion in order to promote higher school attendance of girls.

Article 5

60. Asked about any efforts to overcome sex-stereotyping in education, in the family and in the media and the existence of any study on the matter, the representative said that within its educational reform the Government was modifying school curricula and textbooks and concurrently training teachers.

61. Regarding the role played by non-governmental organizations in connection with the Plan for the Prevention and Eradication of Violence against Women, the representative said that their contributions had been taken into account in its elaboration and also in drafting the Law on Domestic Violence.

62. As to measures taken to change the attitude of court officials dealing with complaints regarding violence against women, the representative stated that within the National Secretariat there was a department that dealt with the training of various sectors of the judiciary.

63. Regarding the alleged contradiction between the statements made in paragraphs 84 and 85 of the report concerning discrimination regarding women holding certain positions, the representative explained that studies had made clear the legal, social and cultural discrimination of women in the workplace and the lack of efficient mechanisms to deal with it as the law did not foresee any sanctions. The practice had shown that women in similar professions and holding the same academic degrees as men earned between 30 and 50 per cent less than their male counterparts.

Article 6

64. As prostitution existed in practically every country in the world, members felt that Bolivia should not have any misgivings about its "indirect approval" referred to in paragraph 86 of the report and considered the practice of periodic medical examinations of prostitutes a laudable measure. Further information was requested about the number of women prostitutes, their social strata, the conditions under which they worked and the measures taken for their social reintegration.

65. Regarding any possible protection of prostitutes against the human immunodeficiency virus (HIV)/acquired immune deficiency syndrome (AIDS), the representative said that although the National AIDS Programme foresaw measures of prevention for prostitutes, no corresponding laws had as yet been adopted.

66. Members recommended that the Government look into the various aspects of prostitution as it was regarded as a severe violation of human rights and one of the most severe forms of slavery. The representative explained that there was a contradiction in Bolivia between the Penal Code and police regulations in that there was abolitionist legislation against pimping, but whereas women prostitutes were penalized, men remained unpunished.

67. Regarding a question about the meaning of "offences against sexual morality", the representative said such offences ought to be eliminated from the Penal Code as they were discriminatory against women.

68. As the report indicated that trafficking in women did not exist, members asked whether specific measures prevented women from migrating for the purpose of prostitution. Members found the contents of paragraphs 88 and 99 of the report contradictory in that studies had proved that there was a close connection between trafficking in women and prostitution.

Article 7

69. Asked about the initiatives taken by the Government or the National Secretariat for Ethnic, Gender and Generational Affairs to provide support to women's non-governmental organizations, the representative stated that the Government recognized the role of such organizations as agents of development. Their autonomy was entirely respected and they received no financial support from the Government. Among others, they had participated in elaborating the Plan for the Prevention and Eradication of Violence against Women; however, it was important that they took a different approach vis-à-vis the State and recognized its role and their roles, respectively.

70. Members inquired which incentives were being provided to increase women's participation in political life and their representation in political parties and whether women in political parties obtained financial support for their campaigns. The representative explained that the National Secretariat was currently working on a reform of the Law on Political Parties, which should increase the participation of women. No government support was given to political parties nor to women for their participation.

71. Members asked whether the Law on Popular Participation was being implemented, whether it respected the various forms of legal organizations among indigenous women and whether indigenous women and men received legal training. The representative explained that under that Law municipalities were obliged to incorporate requests by local women's organizations in their plans and that legal training as well as the setting up of local information and communication networks at municipal and local levels were foreseen. She pointed to the goal that at least 10 per cent of the municipal structures should include women within the next three years.

72. Considering the absence of a quota system, they asked whether there was an ongoing programme to utilize grass-roots organizations for working out programmes for civic education to raise the civic awareness of women, to inform them of the necessity to vote and to take part in political life and, therefore, to have identification cards in order to register to take part in the polls. The representative stated that presently 46 per cent of the population above 10 years did not have identification cards. The Government was, with foreign aid, working on a national registration programme and it was hoped that by 1997 all citizens would have identification cards. The age to vote was 18 years.

73. Members inquired about the current number of women ministers and about the status of women in the police force. They asked whether women had equal possibilities as men of being promoted.

74. Members asked whether the training for military careers had resumed for women and what possibilities women had to pursue military careers. The representative stated that it was currently not an issue for national debate. It was presently more urgent to invest in activities such as education and health.

Article 8

75. Members asked what the requirements were for working in the foreign service and whether they were different for women and for men. They also wanted to know whether husbands opposed their wives working abroad or whether they were not allowed to join their wives working in the foreign service.

Article 9

76. Regarding questions about transmission of nationality the representative stated that a Bolivian woman married to a foreigner could transmit her nationality to her husband and her children.

Article 10

77. Members asked about the reasons for the large gap in the rate of illiteracy between women and men and whether the Government was undertaking measures to encourage female adult education. Questions were also asked about the percentage of pupils that were enrolled in private and in public schools and whether plans existed to privatize the education system.

78. As bilingual education stopped at the fifth grade level, it was asked how the non-hispanic groups could fully participate in the whole educational system. Members felt that there could be a contradiction between the educational policies, that sought to respect the various cultures and those that aimed at avoiding gender stereotyping. Members asked whether there were gender or women's studies at the tertiary level of education. The government representative was asked to comment on the issue. Members also asked whether health education included information on family planning and prevention of HIV/AIDS.

Article 11

79. Members assumed that the employment plan provided for measures to close the gender gap. However, as regards salaries, indigenous women were the most disadvantaged group. Members asked whether concrete initiatives existed to introduce a gender approach in vocational training and whether there was a legally guaranteed minimum wage and, if so, whether it was different for women and for men.

80. Regarding the high rate of growth of street trading, mostly carried out by women, it was asked whether that sector of tertiary urban economic activity was included in the formal statistics of the country. Members inquired whether there was a law on sexual harassment at the work place, whether measures existed for the welfare and protection of women domestic workers and which programmes responded to the economic needs of migrant women. The representative replied

that a law regulating working conditions for domestic workers was now under consideration in Parliament.

81. Because of the absence of child-care centres it was asked whether the burden of caring for their brothers and sisters in addition to helping with housework resided on the shoulders of the young girls and, consequently, prevented them from attending school.

Article 12

82. Asked about abortion, the representative explained that it was legal only in cases of rape and danger to the mother's life. She did not give the actual rate of abortion, but said that it was widespread and carried out in unsafe conditions. It accounted for 30 per cent of maternal mortality. The Government did not intend to legalize abortion. Asked about consciousness-raising programmes for family-planning schemes, she said that the Government fully endorsed the declaration adopted at the World Conference on Population and Development held at Cairo in 1994 concerning reproductive rights and sexual education for teenagers in view of the health of the family.

83. It was asked whether there was a constitutional or legal basis for the high fertility rate of women or whether the reasons lay within societal or cultural aspects. Comments were made on the chronic malnutrition affecting women and it was asked what percentage of women, in general, had access to safe motherhood, what the situation was in rural areas and which measures the Government had initiated to reduce teenage pregnancies and the high level of maternal mortality.

84. Members asked whether victims of rape could report the incidents to the public prosecutors, and if so, whether measures were being taken to lift any legal bias against rape victims. Members asked further whether crisis centres took care of victims of rape or other sexual abuse and how the police and the courts were handling cases of violence against women and whether they received any training on these matters.

Article 14

85. Since rural women seemed to be the most disadvantaged, members felt that they should be the subject of major concern and asked that they and their plight be given more visibility in the next report.

86. It was asked to which part of the population indigenous people belonged, whether indigenous people were equivalent to people in rural areas and whether non-indigenous people had better living conditions than they. Members asked further how much of the resources of municipalities were dedicated to indigenous women, how they participated in general programmes and whether special programmes were dedicated to them. Members inquired further what type of national and international investment was made in rural development and how it had benefited rural women. They asked whether it had increased their productivity, whether they could use technology and to what extent it was environment-friendly. Members sought information on whether initiatives were being taken to create pre-school facilities in rural areas and whether non-governmental women's organizations or women working at the grass-roots level had provided programmes to improve the conditions of the girl child in rural areas.

Article 16

87. Members commended the Government for adopting a new Family Code, although a number of provisions, such as marriage, divorce and family assistance, still needed to be adopted. As to the question of whether there was any legal provision giving the husband the right to prohibit his wife from engaging in certain occupations if they impinged upon her domestic tasks, the representative replied that the restriction had been reviewed. Information was sought on the existence of a draft law to change the legal provision that prevented women from accusing a violent spouse and whether measures had been taken to sensitize judges with regard to women and minors.

88. Members commented that the regulations regarding guardianship were in blatant contradiction to the provisions of the Convention. Regarding single mothers' status in relation to adoption it was stated that a single mother could adopt a child and could transfer her nationality to the adopted child.

89. Members asked about the percentage of abandoned children and inquired whether measures were envisaged to prevent the abandonment of children. They also requested information on surrogate mothers and on adoption of Bolivian children by women outside Bolivia. Information was sought on measures to protect foreign women in their status as wives of Bolivian men and it was asked whether a Bolivian husband could prevent his foreign-born wife and her children from leaving the country.

90. Members asked whether the legal equality and joint responsibilities as described in paragraph 376 of the report were leading to social inequalities.

91. Members urged the Government to reconsider the provision described in paragraph 326 of the report, according to which a woman had to observe a time-limit of 300 days before marrying again. They sought clarification of the provisions governing the name of a person, as described in paragraphs 309 and 310 of the report and asked whether it was true that in spite of the rights of mothers to transmit their name to their children it was still the husbands who decided what was happening in the family.

Concluding comments of the Committee

Introduction

92. The Committee commends the Government of Bolivia for submitting the report within the required time and for following the guidelines. The Committee noted that the oral presentation complemented the original report submitted in 1991 and concentrated on the time between 1992-1995, during which the country undertook major efforts to promote gender policies that were beneficial to the advancement of women, thereby overcoming a neutral policy which did not differentiate between men and women, and which maintained stereotyped role models. The Government applauded the efforts of the non-governmental organizations as well as the efforts of the present Government.

Positive aspects

93. The Committee noted that Bolivia had made great strides in introducing and institutionalizing public policies with a focus on the gender perspective. This has been reflected in the establishment of a government agency for gender issues, the National Secretariat for Ethnic, Gender and Generational Affairs.

The Committee noted also that the Secretariat was in charge of policies and programmes which had taken an inter-sectoral and regional approach.

94. The Committee considered that the recently promulgated Law on Popular Participation was of great importance, as it decentralized power and resources to the municipal level, giving grass-roots organizations, including women's organizations, a legal recognition and access to resources. Thus, the law aimed at providing equal opportunities to grass-roots organizations by mandating municipalities to pursue a gender perspective in their policies.

95. The Committee commended the educational reforms, which were aimed at providing bilingual education, favouring thereby the education of girls, and the development of a multicultural society crossing gender barriers.

Principal subjects of concern

96. The Committee noted with concern that the budget of the Bolivian national machinery for women was only partially financed from the national budget and was largely dependent on international subsidies.

97. The Committee expressed concerns about the impact of structural adjustment programmes on women and the feminization of poverty.

98. The Committee noted with concern the specific disadvantages of rural women.

Suggestions and recommendations

99. The Committee recommends to the Government of Bolivia to give particular attention to amending article 276 of the Penal Code to abolish the provision which inhibits a just solution to the problems of domestic violence.

100. The Committee recommends that for the effective political participation of women the Government establishes quotas for women's high-level representation in the public administration and calls the attention of political parties to that effect.

101. The Committee would like to see in the subsequent report statistics which show the results of programmes such as the Popular Participation Plan, the National Plan for the Prevention and for Eradication of Violence and the educational reform.

102. The Committee suggests to the Government to look into the various aspects of prostitution which is regarded as a severe case of human rights violations and one of the most heinous forms of slavery.

103. The Committee requests that the plight of rural women be given more visibility in the next report, including measures to mitigate it.

104. The Committee recommends that an inventory should be made of the laws that are discriminating to women, with a view to having them amended.

Chile

105. At its 264th and 271st meetings, on 18 and 24 January 1995, the Committee considered the initial report of Chile (CEDAW/C/CHI/1).

106. In introducing the report and its update, the representative of Chile stressed the importance of international commitments, and in particular the Convention, for the Chilean Government. She also pointed out that the recent political changes in Chile had not affected the programme for the implementation of the Convention, thanks to the continued and sustained process of consultation promoted by the Government. Special efforts had been made by the National Office for Women's Affairs (SERNAM) in order to update the initial report presented in 1991.

107. The representative pointed out that although abortion was illegal in Chile, in 1990 one out of every three pregnancies had ended in abortion. Fertility has diminished in every age group. Family planning policies were aimed at establishing non-discriminatory access to birth control and to methods for overcoming infertility. Fewer women were infected by the human immunodeficiency virus (HIV), than men, though there had been a significant increase in the number of women infected.

108. She indicated that the poverty rate was higher among women than among men and that women represented an increasing proportion among the poor. Currently, one of every four households were female-headed and these tended to be poorer than those headed by men. She further reported that, in 1991, SERNAM had adopted a national programme for the prevention of domestic violence.

109. The representative highlighted that the participation of women in the workforce had increased significantly in the formal and informal sectors in the last few decades and that female employment was increasing at a faster pace than that of men. Nevertheless, the unemployment rate for women was higher than that for men. She also reported that women's level of education had improved. However, women had not been able to improve their position in the job market because an unequal value was assigned to their work. Moreover, studies had revealed that the higher the level of education the woman had, the greater the salary discrimination.

110. The representative noted that women have had little involvement in the executive branch of Government; currently, the Government had three women ministers. Women's participation in the legislative branch had been traditionally low. During the period from 1990 to 1994, there were only 6.5 per cent and 5.8 per cent of women among senators and deputies respectively. Women's political participation had increased in political parties and in some of them they accounted for 40 to 50 per cent of members. While there was a dialogue regarding political discrimination against women, there remained a low presence of women at decision-making levels.

111. The representative stressed that the political context of Chile explained why there had been limited legislative changes introduced by the Government, particularly where women were concerned. The current delicate political equilibrium, reached after 17 years of dictatorship, had created a situation in which it was extremely difficult to pass legislation without the agreement of the current opposition.

112. The representative stressed that the policies of the military Government towards women had been assistance-oriented and paternalistic and that they had

reinforced traditional patterns regarding the role of women in society. In response to women's demands, in 1990 the first democratic Government had appointed women to top positions and had created SERNAM. The achievements of SERNAM between 1991 and 1993 had included recognition of discrimination against women, strengthening of SERNAM's institutional mechanisms and the recognition of some persistent realities such as domestic violence and the precarious status of women working from home.

113. The representative stressed that, in order to add a gender dimension to all government policies, the current Government assumed that discrimination against women was not expressed through occasional or partial situations, but rather was systematic and hence required structural and cultural changes. Consequently, the Government had designed an equal opportunity policy which aimed at reversing structural change so as to eliminate discrimination. Over the next decade, programmes and action plans would be undertaken within that framework. The representative noted the complicated process of implementing the policy, which required coordination among ministries and the identification of areas of top priority and their integration into the targets and budget plans of each ministry.

114. For the period from 1994 to 1999, an equal opportunity plan had been designed as the fundamental instrument for accomplishing the first stage of the equal opportunity policy. The plan sought to increase and improve the position of women in the labour market, as well as to promote their political and social participation, specifically in top decision-making levels. The implementation of the plan would have collateral effects on the legal system, on health, training and educational policies and on the modalities of child care, as well as on the sharing of responsibilities between women and men.

115. The promotion, implementation and follow-up of the plan were SERNAM's main responsibility. Institutional reinforcement of SERNAM was thus a top priority, particularly as adequate execution of the plan and similar positive action would contribute to Chile's compliance with the Convention.

General comments

116. The members of the Committee welcomed Chile's return to democracy. They noted with satisfaction that Chile had ratified the Convention without reservations.

117. Members expressed their concern that Chile's initial report did not follow the guidelines as defined by the Committee and recommended that they be taken into consideration when writing future reports. Members of the Committee offered advice on this matter. Concern was also expressed regarding the lack of statistics and more concrete data as to women's progress towards de facto equality in all areas of life. The representative noted that the 1994 updated version of the initial report followed the structure suggested by the Committee and that it contained many answers to their preoccupations.

118. Members emphasized that after 17 years of dictatorship it was necessary to reinstate women's human rights, and asked whether measures had been taken in that regard by the democratic Government. The representative said that women's protagonistic action against the dictatorship in the past had helped to create SERNAM and to introduce their concerns into the governmental agenda. However, she informed the Committee that the women's movement had reduced its political involvement. She pointed out that good working relationships existed between SERNAM and women's non-governmental organizations.

119. In reply to the concern expressed by members regarding the neo-liberal economic model and as to whether action directed towards the prevention and reduction of its negative effects on women was planned or being taken, she informed the Committee that the Government had opted for a model based on growth with fairness. In that context, the Government played an active role in linking economic and social development with its redistributive role, as well as with the implementation of policies targeted to various social sectors and defined groups. She informed the Committee that the Government had designed a national programme to overcome extreme poverty. In this framework, SERNAM was executing various programmes, including the national programme for women heads of households, in coordination with other ministries. That programme followed an intersectoral approach, including ageing women. The representative also elaborated on five measures for women in agricultural work. Some members suggested the need for action concerning infant mortality, the remuneration gap between women and men and female unemployment.

120. Members commended the establishment of SERNAM at ministerial rank and requested more information on its programmes, goals, institutional relationships and power.

121. Members asked whether non-governmental organizations had participated in the preparation of the Chilean report and been requested to publicize and disseminate the report, together with their comments. In that context, members wanted to know whether cultural and religious factors were not also part of the obstacles impeding legal changes and asked for information about the participation of men in action towards the advancement of women in Chile.

Questions related to specific articles

Article 1

122. In reply to the concern expressed by members on the lack of a definition of the legal term of discrimination in the Constitution of Chile, the representative replied that Chile did not consider this as necessary since the Convention was considered law under article 5 of the Constitution concerning the ratification of international treaties.

Article 2

123. Members requested more information on the equal opportunity plan, including its goals, its impact on general public policy and its legislative base. The representative informed the Committee that the plan addressed eight areas: legislation, family, education, culture, work, health, participation and institutional support. The plan showed that the commitment of the entire Government had been presented to the executive, and a formal act of adoption was planned for 8 March 1995. She drew attention to the updated report and specifically its discussion of article 2, which noted action undertaken under the plan to date, including legislative reforms.

Article 3

124. In answering the questions regarding the status of SERNAM and its implementing capacity, the representative noted that SERNAM was created by law and that its Director had a ministerial rank. She pointed out that its budget and legal projects were directly negotiated by SERNAM in Parliament and that SERNAM had a direct relationship with all ministries. It had a coordinating rather than an executive role by choice. She added that the concerns and needs

of women should be in the mainstream of public action and the specific ministry should carry out the executing activity. However, when an institutional gap existed, SERNAM executed programmes such as centres for information on women's rights and programmes for women heads of households, the prevention of domestic violence, temporary workers and the prevention of early pregnancy. SERNAM also had regional offices, with their directors being members of the regional cabinets.

Article 4

125. Members requested more information on the interpretation and implementation of article 4, as they had noticed that certain measures taken by Chile had eliminated the protection of women. The representative made reference to International Labour Organization (ILO) Convention No. 156, which was ratified by Chile in October 1994. The objective of that Convention and of various measures taken by the Government was to encourage men to assume and share family responsibilities.

Article 5

126. Members expressed their appreciation for the high priority given by the national machinery to the prevention and elimination of violence against women in the family. Regarding the sanctions against offenders proposed by Law No. 19.325, the representative informed the Committee that there were three types: obligatory attendance for therapeutic advice; fines; and, in more serious cases, prison. In addition, protective measures existed such as the right of the woman to leave the home and to have the family income protected. In response to questions as to whether, in cases of violence, the Convention could be invoked in court, the representative recalled article 5 of the Constitution of Chile, which gave the Convention the status of law. She informed the Committee that training and sensitization programmes for police personnel had been organized.

127. Members expressed concern about the high number of rapes reported and requested information on the legal and practical measures taken to combat that situation.

Article 6

128. Members expressed concern regarding the situation of women prostitutes and their vulnerability to violence. In reply, the representative recognized that Law No. 19.325 referred only to domestic violence and excluded prostitutes, which were under criminal law. She emphasized that in Chile the practice of prostitution was not condemned and added that sanitary control of women prostitutes was guaranteed. She agreed with the suggestion that studies and statistics on this specific group should be developed in order to focus policies and programmes, also in view of the danger of HIV infection of prostitutes.

Article 7

129. In response to requests for more information on the implementation of article 7, the representative said that Chile had ratified the Convention on the Political Rights of Women and had participated in the Interparliamentary Conference in Paris. She welcomed suggestions to create networks among women who had played a role in the recuperation of democracy in Chile and to study mechanisms such as quotas, which were seen as the most expeditious way of increasing the presence of women in positions of political decision-making.

130. Members raised questions as to the situation of political detainees. It was asked whether the Government had any policy to help women who had suffered from the effects of detention, directly or indirectly. The representative replied that a law had been adopted specifying the benefits established by the Government to help the affected families.

Article 8

131. Responding to questions regarding the representation of Chilean women on the international scene, the representative emphasized that an increase in the diplomatic service would take time, but that efforts were being made to have visible female representation at high-level international conferences.

Article 10

132. Members noted that Chilean textbooks contained serious sex-role stereotyping and suggested changes. The representative replied that a non-sexist education law had been signed and that a seminar to train teachers in gender sensitivity had taken place. Guidelines for model textbooks were planned for 1995.

133. Members welcomed the initiative of the programme on education for peace and requested more information. In reply, the representative said that the programme was linked to the implementation of the Convention on the Rights of the Child and was being implemented by the Ministry of Education. The programme introduced students to human rights as well as to peaceful conflict-solving methods and was implemented in public and private schools.

134. Members noted the negative relationship existing between women's level of education and their remuneration compared to men. They asked what was causing the situation, whether it was affecting access by girls to higher levels of education and what measures were being taken by the Government in order to rectify the situation. Members also expressed concern about the levels of female illiteracy and requested information about its causes and whether any programme had been designed to help female adults to continue their education.

Article 11

135. Following a request for information on female temporary workers, the representative said that general policies directed to all agricultural workers guaranteed the limitation of working hours and basic working conditions. In that context, the Government had ratified various ILO conventions on working conditions for both women and men. Specifically, she pointed to local implementation of the heads of households programme, which included measures such as child care, training, education, promotion of women's public participation and provision of medical attention.

136. The representative agreed with observations that part-time employment could lead to women's marginalization in the labour market. She informed the Committee that SERNAM had studied women's real interests as well as experience acquired in other countries. In reaction to a comment on SERNAM's emphasis on the reproductive role of women and what the role of men should be in that respect, she said that the changes introduced in labour legislation sought to ensure shared family responsibilities between men and women. New initiatives such as day-care centres in the workplace for both working fathers and mothers were being introduced. She also stressed that in 1994 Chile had ratified the ILO Convention on the matter.

137. Following a request for information on whether SERNAM had taken any action to improve women's working conditions, she replied that there was a law of the Ministry of Labour which provided for training of its personnel on specific issues such as maternity leave and non-discrimination. The law was supported by the World Bank and was considered as a special instrument to improve the situation of working women. Members wanted to know whether labour legislation gave any guarantee for equal remuneration as established in ILO Convention No. 101 and whether Chile had ratified that Convention. Members requested information on whether pregnancy was used to discriminate against women in the labour market, as well as on wage disparities in the public sector.

Article 12

138. Members noted the alarming levels of teenage pregnancy and inquired whether action was going to be directed to that sector of the female population, specifically regarding access to education. The representative replied that a special programme was planned in cooperation with the United Nations Population Fund (UNFPA) to prevent early pregnancy and give support to pregnant adolescents. The project consisted of providing information in schools and a study of sexuality among Chilean youth and dissemination of its results. An administrative circular issued by the Ministry of Education had prohibited discrimination against pregnant students but it had not been implemented in most schools because it was not a law. Efforts were being made by the Government, in the Parliament and through public opinion to transform it into law.

139. Members were seriously concerned by the fact that though abortion was illegal, it was nevertheless practised widely. They inquired whether the Ministry of Health was proposing concepts of family planning, how illegal abortions were recorded and how rural women could afford it. In response, the representative replied that Chile had signed the final document of the International Conference on Population and Development at Cairo without any reservation. Although family planning policy had been neglected for many years, the Ministry of Health was handling a programme for paternal responsibility, informing men and women of the various means of contraception. She recalled that the Government considered the practice of abortion a serious public health problem, that it could not be seen as a means of contraception and that its prevention was one of the purposes of the family planning policies. The family planning policies sought to improve the health conditions of mothers and children while affirming the rights of every family to have the number of children it desired.

140. The representative, in response to questions on consciousness-raising activities regarding HIV and acquired immunodeficiency syndrome (AIDS), replied that a special commission had been set up among various ministries and that campaigns had been organized in the media. She added that action was very slow because there was no consensus on the issue among social sectors and religious organizations.

Article 14

141. Members required more information on rural women living in poverty. The representative informed the Committee that efforts to collect accurate data had been made by the Government, which had helped to quantify the extent of rural women's poverty problems. She referred to measures directed towards rural women, such as the provision of child care, introduction of legal changes and, in some cases, access to property for women heads of households. Members suggested educational measures and income-generating activities. The

development of appropriate technologies was also suggested in order to reduce the burden of their many activities.

Article 15

142. In reaction to concern expressed by members on divorce, the representative agreed that this was also a governmental preoccupation, especially in the context of a very high number of marital separations. She emphasized that, in Chile, there was no consensus on the issue. The Government was opening the discussion for public debate. Meanwhile, some members of Congress were drafting a law to be presented to Parliament.

143. In response to requests to highlight the legal capacity of married women to manage their property and the types of regimes existing, the representative replied that women had complete legal capacity in those matters and that recent legal changes had been introduced concerning the property of married persons, which took into consideration the economic protection of married women.

Article 16

144. Members asked for clarification regarding the legal status of children and parental authority and guardianship. The representative gave information on a recent law, still pending for adoption by the Senate, which would establish equality of rights for legitimate and illegitimate children, extend parental authority and guardianship to the mother and permit the establishment of paternity by blood tests.

145. Information was also requested by members on the minimum age for marriage in Chile and whether it was the same for both sexes. They were informed that there was a Committee's recommendation suggesting that the age should be 18, which would be compatible with the accorded age for accessing voting, civil and penal responsibilities.

146. In response to inquiries as to whether provisions existed giving the same protection and rights for financial support to married and unmarried women, the representative replied that married and unmarried mothers had equal rights to receive financial support for their children, but not for themselves.

Concluding comments of the Committee

Introduction

147. The Committee congratulated the representative of the Government of Chile on the presentation of the report and on the effort the Government had made to update the information submitted, which reflected a number of advances since 1991. The Committee also welcomed the presence of the Minister and Director of the National Office for Women's Affairs.

148. The Committee referred to the fact that those who prepared the report followed neither the standard format nor the Committee's recommendations concerning the interpretation of certain articles and the submission of information on them.

149. The Committee noted that the report was descriptive and general in nature, with few analytical references supported by concrete data and statistics. It noted further that in the discussion of the implementation of the articles, more attention was given to responses having to do with legal and normative

provisions, and not enough information was provided on concrete actions. The Committee noted that this made it impossible to determine the extent of the gap between de facto and de jure equality.

Positive aspects

150. The Committee acknowledged the political will demonstrated by government administrations during the democratic period in seeking to improve the status of Chilean women, and drew particular attention to following clearly positive actions:

(a) The ratification of the Convention on the Elimination of All Forms of Discrimination against Women and its incorporation into national law;

(b) The progressive introduction of legal reforms, specifically directed towards eliminating discrimination and protecting women's rights;

(c) The creation of the National Office for Women's Affairs (SERNAM), designated as the body responsible for coordinating the initiatives of the executive in implementing the provisions of the Convention;

(d) Starting a peace-oriented education programme in the schools especially on the issue of all forms of violence against women to implement the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights;

(e) Starting a local Heads of Households Programme to improve the situation of women;

(f) Improving the working conditions of female agricultural workers.

Principal subjects of concern

151. The Committee expressed concern about laws which still contained discriminatory provisions, and about situations in which women were at a disadvantage compared to men, which contradicted the clear advances achieved in democracy and economic development in the State party.

152. The Committee also expressed its concern about the situation of rural women who did not have access to the same opportunities for the same services as those in the cities, as well as the low percentage of women in positions of political responsibility and about maternal mortality resulting from clandestine abortions.

Suggestions and recommendations

153. The Committee suggests that the Government of Chile should prepare its second report according to the guidelines, and that it should provide more complete, well-grounded information that would reflect the real as well as the legal situation of women, including the obstacles encountered, rather than basing itself on legal references.

154. The Committee urges the State party to promote the elimination of still existing discriminatory legal provisions especially in relation to the family and to bring Chilean legislation into line with the Convention.

155. The Committee urges the State party to introduce legislation opening up the rights to legal divorce.

156. The Committee requests the State party to provide more complete information, including relevant statistics, in its next report on the implementation of each of the articles, especially on topics such as violence against women, prostitution, political participation, reproductive health, working conditions and wages, the situation of "temporary" workers, women living in poverty, the de facto situation of women in the family, teenage pregnancy and the status of non-governmental organizations.

157. The Committee expresses interest in receiving information on the possible further strengthening of SERNAM. It also asked for more information on the implementation of the equal opportunities plan.

158. The Committee recommends a revision of the extremely restrictive legislation on abortion, taking into account the relationship between clandestine abortion and maternal mortality.

159. The Committee suggests that SERNAM should disseminate the report it had submitted to the Committee, together with the Committee's comments, as a means of heightening the awareness of those sectors that might be in a position to help improve the status of Chilean women.

2. Initial and second periodic reports

Mauritius

160. The Committee considered the initial and second periodic reports of Mauritius (CEDAW/C/MAR/1-2) at its 268th and 271st meetings, held on 20 and 24 January 1995.

161. In her statement, the representative of Mauritius described the legal, political, institutional and economic framework in her country for the implementation of the Convention and highlighted the legal and practical changes that had taken place since the submission of the report. She pointed out that structural adjustment in the country had actually benefited women in terms of their access to employment and integration in the economy. Despite the general economic hardships associated with adjustment, the Government had found it possible not only to avoid cutting expenditure on social programmes but actually to expand the national machinery for the advancement of women by creating a new Ministry for Women's Rights. Having highlighted positive developments in women's employment, education and health, she acknowledged the persistence of certain legal, administrative, cultural and religious barriers to the equality of women and the improvement of their socio-economic status. She emphasized the continuing commitment of her Government to the advancement of women and its determination to promote women's rights in general and on the basis of a forthcoming White Paper on Women and Development, in particular.

General observations

162. Members of the Committee commented on the concise, comprehensive and frank nature of the presentation made by the representative of Mauritius and on the country's considerable achievements in implementing the Convention. They were particularly impressed by the strong commitment of the Government of Mauritius to the goal of the advancement of women and by the fact that social services and funding for women's organizations had not been cut off even in difficult times of structural adjustment and recession. They noted with satisfaction that cooperation had been established with some of the specialized agencies of the United Nations to promote women's development.

163. Several experts expressed great satisfaction with the withdrawal of reservations to articles 11.1 (b), 11.1 (d) and 16.1 (g) of the Convention. One expert pointed out that Mauritius was one of those rare countries where the Convention itself was being used to reform the domestic legal and economic systems so as to achieve greater compliance.

164. Members of the Committee pointed out that the report would have benefited from a clearer presentation of how the situation in the country had evolved since the preparation of the first report and from greater highlighting of the obstacles that still existed.

165. It was pointed out that chapters 2.3 and 16.3 of the Constitution of Mauritius, dealing with the protection of fundamental human rights and the definition of discrimination respectively, had been formulated without regard to gender. It was suggested that that fact might bring about internal inconsistency in the Constitution as far as issues of discrimination were concerned. If that was indeed so, the situation should be rectified.

166. Members noted the positive developments that had taken place in Mauritius with respect to the increase in women's employment, the promotion of their human

rights and their economic independence, which, as one expert pointed out, was the main prerequisite for their advancement and the preservation of their dignity. However, they expressed concern at what appeared to be excessive emphasis on directing female employment towards industrial occupations in export-processing zones and in the private sector.

167. It was suggested that article 4 of the Convention should be fully utilized to ensure that there were more women in positions of economic decision-making rather than merely to increase further their number in the traditional sectors, where women had long been overrepresented. With respect to special positive discrimination programmes, one expert cited the conversion of two coeducational State secondary schools into schools for girls only, pointing out that that measure was in fact negative since it promoted segregation and was contrary to the Nairobi Forward-looking Strategies. Another expert pointed out that protective legislation was problematic in terms of its impact on the equality of women and men. It did not fall into the category of special temporary measures to accelerate equality. In her opinion, the report of Mauritius reflected a misunderstanding of what affirmative action was. The industrial sewing programmes reinforced labour-market stereotypes, and courses in banking and management should be considered instead.

168. Concern was expressed by members of the Committee regarding the report's lack of data on violence against women. Given the widespread nature of the problem and its acute consequences, more information was needed. One expert commented on section 253 of the Criminal Code: in her view, the Code was designed to protect society from prostitution but not to address the issues of the exploitation of women engaged in that activity and of violence against them. Concern was also expressed regarding the potential of sex-tourism in the light of the rapidly growing tourism sector in Mauritius.

169. Having expressed satisfaction with the progress made by the Government of Mauritius in the elimination of discrimination against women and in their continuing advancement in the economic and social spheres, one expert expressed particular interest in the White Paper on Women in Development currently being prepared by the Government. She expressed confidence that the paper would open new possibilities for addressing issues of special concern to women in the country.

170. Having described female literacy programmes as highly commendable, one expert expressed concern regarding the content of such programmes, which currently served to confirm women in their traditional roles. She also noted that there were no courses on family nutrition.

171. One expert noted that the Labour Law, which forbade night work by women, was in fact discriminatory; night work was usually better paid.

172. One expert praised the Government for the initiation of programmes for the early detection of breast and cervical cancer, which reflected the fact that women's distinctive physiological needs were finally being addressed. She noted a contradiction, however, with respect to the provision of family planning. On the one hand, the report emphasized free and accessible family planning services and, on the other, it pointed to the widespread problem of illegal abortion.

Questions related to specific articles

Article 1

173. Members of the Committee pointed out that the Constitution of Mauritius did not define discrimination in terms of sex. One expert commented that that implied that no laws on discrimination against women existed. Members asked whether the Government intended to revise the Constitution so as to remedy that problem and whether the enactment of equal opportunity legislation was considered. In her reply, the representative of Mauritius indicated that her Government would consider the amendment of the Constitution after the issues of citizenship and nationality were addressed.

Article 3

174. Members asked what the exact relationship between the National Women's Council and the Ministerial Committee was and what the relationship of those two bodies to the Ministry for Women's Rights and Family Welfare was. They also wanted to know if there was a problem of coordination between those bodies and whether the cooperation between the Ministry for Women's Rights and other ministries was fruitful. They also wanted to know whether desk officers reported on problems in their ministries.

175. The representative of Mauritius replied that the responsibilities of the National Women's Council involved the organization of women's associations and the facilitation of dialogue between the State and women through those associations. The Ministerial Committee, for its part, was made up of desk officers in various sectoral ministries who met and discussed problems that were encountered in their ministries in the implementation of gender policy and shared information on projects that were carried out by their ministries and had an impact on women. The work of the Ministerial Committee was somewhat inefficient owing to the lack of prior training of desk officers in gender analysis and gender planning and also because of the transfer of officers. However, the Committee had worked successfully on an ad hoc basis for the preparation of the White Paper on Women in Development and the national report on the implementation of the Nairobi Forward-looking Strategies and its staff participated in seminars and meetings, thereby contributing to the solution of various problems. The training of desk officers in gender analysis was on the agenda of the Ministry for Women's Rights for 1995 and a consultant had been made available by the United Nations Development Programme (UNDP) for that purpose. A link existed between the Ministerial Committee and the National Women's Council in that the Council was managed by a committee which consisted of the representatives of women's associations and of desk officers from the most important ministries in the social sector, such as the Ministries of Education, Health, Economic Planning and Development, Social Security and Youth and Culture.

Article 4

176. Members of the Committee noted that the report indicated that there was provision for police training for women and for the development of a corps of policewomen. It was asked whether that idea would be extended to the national judicial system. In reply, the representative of Mauritius said that the training of judges and magistrates would have to be looked into especially in connection with the creation of a Family Court, which was on the Government's agenda.

177. Members wanted to know what was meant by specific protective legislation for women in agriculture and manufacturing. In particular, they asked if it really protected women in those sectors or if it in fact helped to perpetuate employment segregation. The representative of Mauritius replied that women in agriculture had indeed benefited from protective legislation: they were no longer required to perform strenuous field operations. Women in the advanced stage of pregnancy were prohibited from lifting heavy loads and were provided with light field work. The option of early retirement at the age of 55 was opened to women in the sugar and salt industries. As regards industrial employment, women in an advanced state of pregnancy were not required to perform jobs that involved continuous standing. Also, a discriminatory clause that had not allowed women to aspire to the post of "factory operator" had been removed in 1989. Women employed in the industrial sector were not compelled to do overtime. They now enjoyed privileges with respect to refunds of their transportation fees. Pregnant women who had 12 months of continuous employment received full maternity benefits that included 12 weeks of paid leave, cash allowances and 1-hour nursing breaks.

Article 6

178. In response to the concern expressed by members of the Committee regarding the lack of data on violence against women, the representative of Mauritius informed the Committee that the issue of violence was very sensitive and that victims were often reluctant to report such abuse. She, however, provided the Committee with some statistical information on domestic violence in her country. Specifically, from 1991 to date, 107 cases of incest and 431 cases of child abuse had been reported. Also, from 1989 to date, 1,500 cases of the battering of women had been reported.

179. Members inquired about laws governing the solicitation and purchase of a prostitute's services. They also wanted to know if prostitutes were undergoing regular medical check-ups. Members inquired whether there were any specific laws designed to protect minors from sexual tourism. They also wanted to know if immigrant women were among prostitutes and if there were laws against trafficking in women.

180. In response, the representative of Mauritius informed the Committee that there was no registration of prostitutes in her country and that prostitutes therefore operated illegally. She however pointed out that, owing to the sensitization campaign on AIDS, they were now more conscious of health hazards associated with their profession. She cited a television source, according to which prostitutes underwent regular medical check-ups. She referred to the relevant sections of the Criminal Code and the Child Protection Act that stated that procurement, enticement or exploitation of adults and children for purposes of prostitution were considered an offence and were subject to penalties.

Article 7

181. Members of the Committee wanted to know what had been done to encourage women's participation in the diplomatic service and how their participation in the diplomatic service compared with the progress made by them in the judicial system.

182. The representative of Mauritius responded that the foreign service was open to both men and women and that recruitment to the foreign service was on the basis of an entrance examination. Currently, the Mauritian diplomatic service was comprised of 51 members, including 7 women. The disparity in numbers was

primarily due to the lack of qualified women candidates and not to discrimination against women. There was currently one female puisne judge (out of six) and both the Master and Deputy Master in Bankruptcy were women. Also, 3 of the 12 District Court magistrates were women. Thus, in general, women were well represented in the judicial system, although their participation was somewhat low in the various levels of court administration.

183. One expert asked whether the multicultural and multiracial fabric of Mauritian society had created internal problems and, if so, what impact those problems had on women. The representative of Mauritius replied that there was no indigenous population in her country and that people of various races and cultures from Europe, Asia and Africa lived in perfect harmony. Given the extreme diversity of the population in Mauritius, the Government was extremely cautious and prudent in dealing with issues that could upset the balance and disrupt the social fabric. She stated that comments made by members regarding dangers of cultural strife and its adverse impact on women had been noted.

Article 10

184. Members commented that the courses offered by the adult education programmes run by the Ministry for Women's Rights were primarily in industrial sewing, secretarial skills, embroidery and handicrafts. It was asked whether any other types of training was available to women and what the Ministry for Women's Rights intended to do about that situation.

185. Replying to the question, the representative of Mauritius informed the Committee that the Ministry of Women's Rights provided training primarily to low academic achievers who did not have access either to training provided by the Industrial Vocational Training Board or to that provided by private institutions. The main objectives of the training offered by the Ministry to those women were to provide them with basic skills to help them in their family life, to discover their talents and to achieve a certain degree of self-fulfilment. The Industrial Vocational Training Board, responsible for the provision of training in Mauritius, offered training in electronics, engineering and other professional fields that were open to women.

186. In response to the comment on the conversion of two coeducational State secondary schools into schools for girls only, she said that that decision had been taken in consideration of the cultural environment and educational tradition of her country. The practice helped in the effective teaching and learning process and allowed teachers to utilize different approaches to teaching boys and girls. She assured the Committee that that specific conversion did not lead to segregation, but instead, provided additional educational opportunities for girls at the right time.

Article 11

197. The Committee noted the withdrawal of the reservation to articles 11.1 (b) and 11.1 (d). They wanted to know what new laws had been adopted in Mauritius to allow the reservations to be withdrawn and if all the legal procedures with respect to the withdrawal of those reservations had been followed properly.

188. In her reply, the representative of Mauritius stated that all the necessary procedures regarding the waiving of the reservations on parts of article 11 (as well as of art. 16) had been followed. Those procedures included consultations with the State Law Office and at Cabinet level. Given the changes in the economic and social situation in the country that had taken place between 1984

and 1991, the State Law Office had agreed to the withdrawal of those reservations, which had been followed by government approval.

189. Members noted that the report indicated that, under the Labour Law and the export-processing zone act, women in Mauritius were entitled to maternity leave for only three pregnancies. They asked what would happen when a fourth pregnancy occurred, particularly in the light of the strict laws on abortion. The representative of Mauritius responded that paid maternity leave was restricted to three confinements. Female employees were granted leave without pay after the third confinement. She also pointed out that that provision was in line with the national population policy to discourage large families.

190. As to the policy of granting an employed woman a one-hour break to breast-feed her child, members wanted to know how that provision was implemented and whether that law was necessary for working mothers. The representative replied that practical difficulties were encountered in implementation of that provision because there were few nurseries near the factories. She said that the law had been enacted to encourage breast-feeding.

191. As to when the labour law covering employment within the export-processing zone would be amended so that women working in that sector could enjoy the same working conditions as those in the public sector, the representative of Mauritius pointed out that the public and private sectors in her country operated under different conditions and that it was not economically feasible at the present stage of economic development to provide the same working conditions in both sectors. She noted, however, that the Export Enterprises Regulations enacted in 1983 fixed wages and some other conditions of employment.

192. Regarding what impact changes in fiscal and taxation policies and in the price index had on women, she replied that it had not been scientifically studied. However, the reduction in capital expenditure had led to a freeze in the construction of State secondary schools and subsidized housing that might have reduced women's access to education and proper housing. She also pointed out that that trend had been reversed since the late 1980s and that those sectors were currently in full development. Women had been direct beneficiaries of the Government's policy to adopt new taxation policies in that they could now file their income tax returns separately and could deduct benefits individually.

193. Members noted that women's participation in the labour force was growing rapidly in Mauritius and asked if the Government had projects to meet the increasing demand for health care, day care and retraining. They also wanted to know if the increasing employment rate was associated with positive developments only or if it had some negative aspects as well. The representative of Mauritius stated that the rapidly growing participation of women in the labour force in her country had tripled the burden on women and that they needed to be provided with community support services. Her Government had embarked on the provision of such services in collaboration with non-governmental organizations, local governments, the private sector, etc.

194. Members noted with concern that the report indicated that minors under the age of 16 were allowed to work, which, according to the relevant International Labour Organization Convention, was wrong. It was pointed out that the report did not provide any information on where minors were working, whether there were any special laws governing their employment and whether their employment was monitored by the Government. The representative of Mauritius informed members that the Labour Law in her country prohibited the employment of a person under 15 years of age and that in 1990 her Government had ratified ILO Convention

No. 138 on minimum age for employment and was determined to eliminate child labour, which at the moment represented 0.7 per cent of the Mauritius working population. She pointed out that the report of her Government referred to age 16 as the age when minors were allowed to work.

Article 12

195. Members of the Committee asked what the Ministry for Women's Rights was doing to improve the poor quality of life of women in Rodrigues. What was done with respect to the provision of health services and job opportunities for women in Rodrigues and to the improvement of social infrastructure? The representative informed the Committee that there was a Ministry for Rodrigues, which dealt exclusively with the situation there. She also stated that new information had been collected and updated. The situation in Rodrigues was improving: water, sanitation and roads were widely available but a lot remained to be done. Figures that reflected the situation in Rodrigues would be provided in the next report.

196. Members of the Committee asked how family planning reached all women, including poor women. They also wanted to know what the prospects were for a revision of the anti-abortion legislation. The representative of Mauritius replied that family planning in her country was available to women of all ages, married and unmarried, and was specifically targeted to teenage women. In spite of the wide availability of contraceptive methods, about 2,000 complications from abortion were reported each year and it was not clear whether those were natural or induced.

Article 14

197. Members requested more information on whether women could own land, what the Government did to enhance women's right to land ownership, and how that issue affected rural households headed by women. One member found it encouraging that women in rural areas had the choice to work not only in agriculture but also in industry. She, however, wanted to know about women and land ownership: in some countries, women could not own land owing to social, legal and cultural impediments. Another member also asked if Mauritian women could own land. In her reply, the representative of Mauritius stated that women in her country had access to land ownership and that they had the same rights with respect to land ownership and land inheritance as men.

198. One member requested clarification of the contradiction between the statement regarding shortages of labour in the agricultural sector and the following statement that indicated that the workday in agriculture was from 6 a.m. to 12 noon, i.e. very short. The representative replied that the shortage of labour in agriculture existed because women as well as men no longer wanted to work in the agricultural sector in spite of the shorter hours of work and a comparable rate of pay. They showed strong preferences for work in manufacturing industry in spite of longer hours, presumably because work in that sector was regarded as "cleaner" and had more status. Furthermore, she indicated that it had been the practice in Mauritius, especially in sugar-cane fields, to work from sunrise to noon in view of the climate.

199. A question was raised by members as to how environmental degradation affected rural women and what measures were taken in that respect. Members noted that changes in food habits were mentioned and asked for more information and whether it implied a worsening of nutritional standards. In response, the Committee was informed that a survey conducted in 1988 revealed that 38 per cent

of women were anaemic and that obesity was most prevalent among the female labour force. There was a tendency among the population to go for fast food and disregard nutritional standards. The Ministry of Health and the Ministry of Agriculture were engaged in developing a food and nutrition policy in order to help families to adjust to new patterns of life in a newly industrialized society. She informed members that environmental degradation was especially visible in Rodrigues, mainly through soil erosion and deforestation. Measures to sustain the environment had been initiated and involved terracing of land, reforestation, sensitization, waste management and others.

Article 16

200. As to a question on the recognition of religious marriage, the procedure for the dissolution of religious marriages and whether or not religious law was applicable to divorce, she stated that religious marriages in her country had all the effects of civil marriages, that children of such marriages were considered legitimate and that the civil law applied to them as well as to divorce procedures.

201. Members inquired if married women in Mauritius were allowed to live in the parental home. They also wanted to know if a married woman had a right to shelter in a house other than her husband's or his family's. The representative replied that a married woman in her country had a right to live in the family home until her death, even after her husband's death. The law in her country did not provide for a right to shelter in any other house.

202. Members asked whether judges were trained regarding divorce and the interests of the child in the event of divorce. One member suggested that the Government needed to reform the "300 days" stipulation, keeping women from re-entering marriage. Another member wanted to know how many marriages were arranged by parents. In her reply, the representative of Mauritius stated that no such training for judges existed in her country.

Concluding comments of the Committee

Introduction

203. The Committee congratulated the distinguished representative of the Government of Mauritius on presenting the comprehensive combined initial and second periodic report, which was prepared on the basis of the Committee's guidelines and provided ample statistical data.

204. The Committee expressed thanks to the Government of Mauritius for ratifying the Convention in full and urged it to use the Convention to further improve women's status in Mauritius.

Positive aspects

205. The Committee was of the opinion that Mauritius was a country which had achieved commendable success in social integration while promoting equal opportunities for women through a strong social programme. It commended Mauritius for having made a determined effort to ensure equal rights for all ethnic groups.

206. The Committee further appreciated the fact that despite the structural adjustment programmes the Government had not cut down on educational and social benefit programmes concerning women.

207. The positive move on the part of the Mauritius Government in withdrawing its reservations on articles 11.1 (b), 11.1 (d) and 16.1 (g) was highly appreciated by the Committee.

Principal subjects of concern

208. The Committee expressed concern that the Constitution of the country did not cover discrimination on the grounds of sex. The Committee felt that this had to be reflected in the Constitution.

209. The Committee noted that the report did not provide enough information on prostitution and trafficking in women and rehabilitation programmes in this respect. The next report should provide more information in this regard.

210. The Committee observed a lack of clarity on the nationality law of Mauritius, especially in areas where rights enjoyed by men and women marrying foreign citizens varied.

211. The Committee noted that the reasons for the high rate of teenage pregnancy despite improved family planning programmes were not explained. The Committee also noted that the report did not specify clearly whether family planning services were made available to women irrespective of marital status.

212. The Committee also noted with concern that the development of women in the Rodrigue lagged far behind that on the main island.

213. The Committee believed that non-academic training such as embroidery, industrial sewing, etc., conducted as a positive discrimination programme would only contribute to keeping women to the feminized sector of the economy.

Suggestions and recommendations

214. The Committee suggests that in the subsequent report, further information should be given on the national machinery and on what had been done to institutionalize it at the local levels.

215. The Committee also suggests that more information should be given on prostitution and government efforts to decrease it and rehabilitate women involved in prostitution. It also requested more information on the potential rise of sex tourism.

216. The Committee also encourages the Government of Mauritius to amend labour laws for the export processing zones and provide respective information on such efforts in the subsequent report.

217. The Committee requests more information in the subsequent report on the vocational training programmes for girls and women with specific emphasis on non-traditional vocational training.

Tunisia

218. The Committee considered the combined initial and second reports of Tunisia (CEDAW/C/TUN/1-2) at its 269th and 273rd meetings, on 23 and 26 January 1995 (see CEDAW/C/SR.269 and 273).

219. In introducing the report, the representative of Tunisia, emphasized the important changes that had occurred in 1987, which asserted women's fundamental rights and promoted their economic and social status. The first accomplishment after Tunisia's independence was the adoption of the Personal Status Code, which laid the foundations for a new organization of the family, based on legal equality of men and women. Tunisia had a long history of women's emancipation, which led in 1936 to the creation of its first women's organization. The Tunisian leaders adopted a dynamic interpretation of Islam, and since 1956, Tunisian legislation had gradually been establishing the conditions necessary for women's equal status in the political, economic and social life. This new vision of society had been widely disseminated and had gradually been adopted by women. Equality of opportunity was beginning to emerge and was given considerable impetus through new women's organizations.

220. The representative stressed that in a society such as that of her country, women's freedom and their rights as citizens remained vulnerable, and must be continually reinforced. Among the mechanisms created to achieve that end was the Ministry of Women's and Family Affairs, the Research, Documentation and Information Centre and the National Women and Development Commission. Women had been appointed to high-level political posts and a series of legislative reforms had been sought to remove any archaic elements remaining from the past. The new vision of the family had been built on the principle of partnership between the spouses. The most important amendments referred to the Personal Status Code, the Penal Code and the Labour Code, and thus women currently entered more fully into the era of human rights. The greater involvement of women in the informal sector had also been able to limit the negative effects of the structural adjustment plan.

221. The representative illustrated, through concrete figures, the advances made by women in many professions, in decision-making positions and in schooling, thanks to the policies of universal education, health and family planning. Since 1956, Tunisian legislation had been modelling a new society within the framework of modern Islam, gradually abandoning the static models of thought inherited from traditional society, and the Tunisian society of today was concerned with following the principles of religion without sacrificing progress. Major concerns were illiteracy and the resurgence of backward models under the influence of current fundamentalism. Tunisia was aware that it could not successfully embark upon the twenty-first century without allowing an irreversible involvement of women in its development policy.

General observations

222. The Committee commended the well-structured and comprehensive report, supplemented by extensive statistical data, and its frank and succinct presentation and expressed appreciation for the fact that the Minister for Women's and Family Affairs herself had introduced the report. Bearing in mind Tunisia's geo-political environment, it paid tribute to the big strides made by the country for the advancement and empowerment of women and stated that Tunisia could be considered, even since the 1950s, as a shining example for other countries, because of its progressive and programmative interpretation of Islam. The members emphasized the adoption of the Personal Status Code in 1956 and all the reforms it brought about. However, they expressed concern at the reservations entered concerning articles 9 and 16, and in particular, at the language of the general declaration and the declaration made with regard to article 15, which seemed to close the door on any future revisions of national legislation. They expressed the hope that the reservations and declarations would be withdrawn in the near future. In replying, the representative said

that Tunisia had not entered any reservations regarding other international treaties dealing with the status of women. The Convention had been ratified in a particular socio-political context, which was marked by rising fundamentalism, conservative traditions and related issues. Although the political vision was enlightened and most of the provisions of the Convention were already being applied in the country, the specificities of internal law should not be denied. The general declaration, however, did in no way intend to detract from the Government's commitment to the Convention. It was only made to explain the reservations entered. Since ratification many legal reforms had been introduced in favour of women, which showed that the country was slowly but surely moving towards gender equality, and the reservations would certainly be withdrawn before not too long.

223. While recognizing the efforts undertaken by the Government in the area of education, members were concerned at the high rate of illiteracy among girls between the ages of 14 and 24, at the low level of the participation of women in political decision-making despite substantive gains made in legal equality and at the current provisions regarding women's inheritance rights. They stated that Tunisia had not yet succeeded in filling the gap between the elite and the broader sectors of the society. While praising all the rights given to women, further information was requested on the de facto situation of women and on steps taken by the Government to protect the rights of individual women, irrespective of their family status. In reply, the representative stated that a general policy of emancipation and faith in the human being was the driving principle for all political action, and the measures taken by the President in 1992 marked a certain dynamism in the women's movement. The participation of women at the last elections had been four times higher than in the past and the President emphasized in his statements that women should take advantage of the opportunities provided to them by democracy to develop further their achievements. Women's rights were fundamental rights, which benefited women irrespective of their family status. At the same time, while the family needed to be preserved, decision-making in the family needed to be shared by women and men. A study had been made on the issue.

224. Referring to pressure exercised by religious extremist groups in neighbouring countries and to questions raised as to whether there was any long-term plan that would guarantee women their full democratic rights and avoid any set-backs and whether Tunisia was collaborating with other Islamic countries in that respect, the representative replied that, in Tunisia, democracy was a process based on the principle that its conditions were fulfilled and that human rights encompassed also economic and social rights. Political liberty was meaningless without economic independence. She said that the terrorists who denied women their rights were also inveterated enemies of human rights in general, and democracy must defend itself against those forces. Yet Tunisia could not remain isolated in following the right path and other countries should follow that example.

225. In making an additional comment, a member inquired whether Tunisia was intending to introduce women's issues into the Organization of the Islamic Conference.

Article 3

226. Members inquired through which means the national mechanism for the advancement of women was implementing its policies at the regional level, what its financial resources were and which steps were being taken to involve more women in the mainstream of the society.

Article 5

227. Members praised efforts made to correct stereotypes through presenting a more positive image of women in school textbooks and through human rights education. Further information was requested on violence against women of any kind, i.e., domestic violence, rape, sexual harassment at the work place, violence against female prisoners, in particular political prisoners, violence against prostitutes and any other vulnerable groups, and sexual abuse practised by police officers.

228. The representative explained that the phenomenon of violence against women had only recently become a subject of investigation, and it was difficult to obtain reliable statistical data because the victims only rarely reported such incidents to the competent authorities. So far, only 7 per cent of cases of marital violence had been submitted to the Ministry of Women's and Family Affairs. The subject was no longer taboo and women's associations were carrying out studies and setting up hot-line services for battered women. The results of those efforts would be outlined in the subsequent report. It was equally difficult to obtain trustworthy statistical data on cases of rape and sexual harassment, and only rarely were cases reported. Apart from the important change in the Penal Code regarding conjugal violence, which made rape within marriage a punishable offence, other new measures to deal with the problem were the institution of a family judge, the creation of defence and social integration centres, hot-line services, centres for battered women set up by non-governmental organizations and media campaigns directed at young people. Violence against women was dealt with in the framework of a global national strategy of awareness-raising. In addition to that, the Research Documentation and Information Centre (CREDIF) had issued a little booklet to disseminate the contents of the Convention in the schools.

Article 6

229. Responding to questions regarding health care plans for prostitutes, the representative emphasized that the authorities focused on the health aspect and instituted mandatory medical visits for prostitutes in order to prevent sexually transmitted diseases and human immunodeficiency virus (HIV)/acquired immune deficiency syndrome (AIDS).

230. In reply to questions, the representative explained that regulated prostitution was not banned because it curtailed clandestine prostitution and protected minors from abuses. Clandestine prostitution was severely punished in Tunisia. Replying to a question about the percentage of regulated prostitution, the representative said that it had drastically decreased. Currently only 68 women were registered in Tunis as "regulated prostitutes". The decrease was attributable to the rising living standard, the progressive eradication of poverty and women's entry into the labour force.

231. Replying to questions raised by members about the existence of child prostitution and trafficking in women, the representative stated that neither of the two had ever existed in Tunisia despite rising tourism. Asked about measures to prevent minors from engaging in prostitution the representative said that it was banned by law. Judges could decide to place delinquent minors in special centres in order to prepare them for their reintegration into society.

232. Further questions referred to the social reintegration of prostitutes, and to the protection of the rights of female prostitutes in practice. Members requested detailed statistical data in the subsequent report and asked whether

the current legislation was not discriminatory in that it made a distinction between female prostitutes and their male clients.

Article 7

233. Asked about measures taken to change women's approach to political life and to encourage girls to alter their views on political matters, the representative stated that the Ministry of Women's and Family Affairs had set up an evaluation campaign to assess the impact of development projects on women. The Ministry was also planning to set up several plans of action, such as one aimed at rural women and another that focused on better time sharing by women between professional and household tasks, and was conducting several communication and information campaigns. The Ministry was assisted in its efforts by the National Council for Women and the Family and non-governmental organizations.

234. Members wanted to know how the Government was coping with the apparent resistance by men to institutionalizing women's integration in political life. The representative said that although some men had shown resistance, it was gradually waning because of women's outstanding competence and devotion, and at the last elections a woman had scored highest in the main party. More and more women had become visible at lower political levels and sensitization campaigns should help women in gaining more votes.

235. As members noted that women did not seem to be represented in trade unions nor in banking institutions, the representative said that presently a national women's commission consisting of coopted members participated actively in the elaboration of an activity programme for trade unions.

Article 9

236. When asked why women were given unequal treatment where the transmission of nationality to alien spouses and to their children was concerned and whether the National Women and Development Commission was taking any steps to remove these differentials, the representative said that the inequality had been softened as a result of the amendment of article 12 of the Nationality Code in July 1993. Currently the transfer of nationality still required the consent of both spouses. It was to be hoped that the reservation in this article could be lifted in the near future.

237. Members also inquired what was being done to disseminate information on the legal rights of women to the public at large.

Article 10

238. Members commended the Government for the particular attention to education and for dedicating to it as much as 10 per cent of the State budget. They praised the strides made in increasing the enrolment level of girls in secondary schools. They noted, however, a high concentration of girls in traditional female fields of education and a tendency of female students to embark on careers that were financially less rewarding. They asked whether there was a particular preference for girls to follow the traditional female paths and whether there were any plans to encourage them to break into non-traditional, so-called "men's fields". Asked whether school curricula might be responsible for that fact, the representative stated that schoolbooks did not allow for any discrimination. However, girls appeared to choose economics more frequently than industrial vocations, and arts and literature over mathematics and science. Girls' options were also determined by the current labour market, which was

still dominated by certain stereotypes. The educational reform introduced new school orientations. Another innovation was the introduction of human rights education at primary and secondary level. Other measures in that direction were national seminars and annual campaigns, orientation courses for parents and their children and pilot projects to encourage girls to take technical subjects.

239. In reaction to the statement by the representative that, for the first time, a woman had become regional director of secondary education and a woman had been appointed as university rector, members warned against the "token woman" syndrome. They said that experience in other countries had shown that the appointment of a "token woman" reinforced stereotypes, rather than improved the status of women.

240. Commenting on the lower school enrolment of girls and replying to questions as to whether any studies had been carried out to determine the causes for the high drop-out rate of girls from school, the representative explained through statistical data that the gap between girls and boys in school enrolment was gradually shrinking in the direction of attaining a gender balance. Whereas originally the school drop-out rate was higher for girls than for boys, especially in rural areas, that tendency had been almost reversed at all levels. Studies that had been undertaken on the subject gave as major reasons socio-economic and cultural factors in the rural areas. To alleviate that problem, school timetables had been changed, school aids had been introduced, schooling had been made mandatory from 6 to 16 years and non-compliance had been put under sanction. It was said that the need to promote equality of opportunities for children of both sexes in urban and rural areas had become one of the parameters for educational planning and infrastructure.

241. Referring to observations made about the high illiteracy rate, the representative said that one of the reasons for the high percentage of illiterate girls was that girls entered school later than boys. It was to be hoped that the school reform and the national programme that had been elaborated within the eighth development plan would achieve the targets set for reducing female illiteracy, particularly in the 18 to 29 age group. A national commission had been set up in collaboration with several ministries to monitor the programme.

Article 11

242. Comments were made about the low percentage of women's economic participation in the agricultural sector, and members asked whether efforts were being made to give more importance to the informal sector. The representative stated that numerous studies showed the extent to which informal sector had contributed to the national economy, and it was also proved that women's contribution to the informal sector could reduce the negative effects of the structural adjustment plan. Forthcoming measures for that sector were an assistance fund for small rural enterprises, a sensitization campaign about family economy and the publication of a guidebook to instruct women about possibilities of credit.

243. Asked about any plans to explore the training possibilities for women in non-traditional jobs, the representative said that thanks to the current reform of professional training, women should get access to new vocational and professional qualifications, in particular in non-traditional fields. At the same time, the quality of training was improved in women's traditional fields.

244. Members inquired about plans to abolish the prohibition on night work for women.

Article 12

245. While commending the Government's efforts made in the area of family planning, members asked whether plans existed to expand the health coverage for women and girls. The representative confirmed the existence of such plans and programmes.

246. Asked whether a woman could decide to have an abortion or whether she needed the permission of her husband, the representative said that abortion was allowed under certain conditions and if it was carried out in a hospital by an authorized physician within the first three months of pregnancy. After that time abortion was allowed only for health reasons.

247. Further clarification was requested on women who allegedly suffered depression or hysteria as they sought to reconcile liberal education with traditional norms. The representative commented that those allegations were not supported by any reliable data and seemed to be part of the propaganda of fundamentalists.

Article 15

248. Members asked why the Government had entered a declaration on this article upon ratification of the Convention in so far as choice of residence and domicile by women was concerned, despite the entry into force of the Personal Status Code. The representative explained that the declaration had been made because articles 23 and 61 of the old Personal Status Code contradicted the provisions of the Convention. Since the amendment of the Code, the clause of "obedience" had been removed. Currently, the free choice of the woman's residence could only be curtailed in the light of her custody duties for a child of school age. Judges always took into consideration the child's interests as paramount.

Article 16

249. Members commended the Government on the progress made in the abolition of polygamy and the free choice of a husband, but they required more information and a real analysis of the de facto position of women in the family. Members were interested in knowing whether the national law of the country was the religious law as interpreted from the Koran, whether there was a separate secular law and what happened in cases of conflict. The representative explained that originally there had been no unified legal system. When Tunisia gained independence in 1956, the Sharia law and institutions had been reformed and one unified law applied to all Tunisians of any faith. Religious courts had been abolished, and the new Family Code of 1956 was applicable throughout. The amendment of the Personal Status Code gave women a better status in the family. The new family was founded on the concept of mutual respect and cooperation between the spouses in all family matters, including the education of their children, the obligation of women to contribute to family expenses and the abolition of the "obedience" clause. The legislation still preserved the husband as head of the family, but it was likely that as women gradually became more independent economically, the role of the husband as economic custodian would disappear. Another new provision was that women could get guardianship of their children after divorce.

250. In reply to a request for further explanation of the prohibition of polygamy, the representative said that one of the conditions for entering into a marriage was that the individual was free from any other marriage bond. Whoever infringed upon that provision was liable to sanction. Marriages had to be entered into the civil registry and customary law marriages and free unions were prohibited. The rights of children from free unions were protected through a system of judicial machinery.

251. Asked why the minimum age for marriage was different for girls and boys, the representative said that before the entry into force of the Family Code there was no minimum age at all. The current minimum ages were conditioned on mentality, traditions, education and access to the labour market.

252. In relation to questions raised about whether property acquired during marriage was equally shared between the spouses the representative explained that Tunisian law enshrined the separation of conjugal property. Each of the spouses maintained exclusive control over his or her property and was in charge of his or her debts. The spouses could, however, choose another system when they entered into marriage. While maintaining separation of the property that was brought into the marriage, the spouses could opt for community of property acquired during marriage. As that system was not generally known, it was rarely applied.

253. Members asked whether girls had the same rights to inherit as boys and whether the wife's right of inheritance from her deceased husband was equal to the husband's rights vis-à-vis his wife. The representative explained that the inheritance law was based on the Koran. Consequently, men inherited twice the share of women if they were equally related. It was to be hoped that with the evolution of the Tunisian society that inequality would be overcome.

254. Referring to the persistence of the institution of dowry the representative stated that it was maintained symbolically, in order not to break completely with the Muslim tradition. The amended Family Code, however, no longer contained a fixed amount.

255. Regarding questions about the possibility of inter-faith marriages, the representative said that a marriage of a Tunisian woman with a non-Muslim was possible only if the husband converted to Islam.

256. Asked about reservations entered by Tunisia upon ratification of the Convention on the Rights of the Child the representative said those reservations were similar to those with respect to the Convention on the Elimination of All Forms of Discrimination against Women.

257. Members asked what the reasons were for the reservation to article 16, paragraph 1 (c), whether it was socially accepted for a woman to live independently without a spouse, and who had the guardianship over children living outside the country, who were born in Tunisia to a foreign woman. They expressed concern at the non-recognition of free unions and inquired whether the Government was intending to ratify the Convention on the Civil Aspects of International Child Abduction.

Concluding comments of the Committee

Introduction

258. The Committee expressed appreciation to the Government of Tunisia on its combined report, presented in accordance with the general guidelines, and on the fact that the report contained important information on legislation and measures relating to the implementation of the Convention.

259. The Committee noted with great appreciation the high-level representation sent to discuss the report, which serves as an indication of the importance attached by the Government to its obligations under the Convention, and the comprehensive and constructive approach that characterized the dialogue with the delegation.

260. The Committee expressed its appreciation for the additional information provided by the ministerial delegation, which had endeavoured to answer all questions from the Committee in an open manner.

Positive aspects

261. The Committee noted, from the new provisions of the Personal Status Code, that the Government had remained steadfast in guaranteeing and protecting the rights and property of women.

262. The Committee stressed that the promotion of women's rights was the best safeguard against extremist and retrograde movements.

263. The Committee took note of efforts made by the Government to secure the implementation of the Convention's provisions throughout the country.

264. The Committee noted with satisfaction the progress being made in introducing legislative measures to improve the application of the Convention. The inclusion of measures for the advancement of women in the Eighth National Development Plan of the country constituted a step forward in that regard.

265. The Committee equally noted with great admiration the existing political will to maintain progressive interpretation of women's rights under both civil and religious laws.

Principal subjects of concern

266. The Committee was concerned about the general declaration made at ratification in relation to reservations made to the Convention.

267. The Committee expressed its concern with the high rate of illiteracy among women in Tunisia, since access to education was fundamental to the empowerment of women. Equally important was the fact that the number of school drop-outs among girls was high.

268. The Committee noted that in higher education women were concentrated in specific areas of studies and therefore in professions which had low return or less job opportunities. Women needed to be encouraged to join scientific fields in order to have better chances of employment.

269. The Committee noted the lack of information on violence against women in the family.

270. The Committee noted that, although there was a political will by the Government concerning support of women's rights, the political participation of women was still unsatisfactory.

Suggestions and recommendations

271. The Committee urges the Government to consider withdrawing its reservations.

272. The Committee wishes to see in the next report more information on the issues of women's illiteracy and school drop-out.

273. The Committee suggests that more information on violence against women in the family and the community should be provided in the next report.

274. The Committee encourages the Government of Tunisia to further increase its efforts for women's political participation at all levels.

275. The Committee proposes that more training courses for women in non-traditional areas be conducted, as well as more support be given to women in the area of agriculture.

276. Ways and means should be envisaged to encourage women and girls to enrol in science fields.

277. More cooperative activities should be encouraged at the regional level to consolidate women's rights that had been gained so far and to prevent any set-back as a result of the threat of religious extremist trends.

Uganda

278. The Committee considered the initial and second periodic reports of Uganda (CEDAW/C/UGA/1-2 and Add.1) at its 270th and 273rd meetings, on 23 and 26 January (see CEDAW/C/SR.270 and 273).

279. In introducing the report, the representative of the State party pointed out that women accounted for up to 80 per cent of food production in the agricultural sector and that they were widely employed in the informal sector in urban areas. She stressed that Uganda was one of the few sub-Saharan countries that was self-sufficient in agricultural production.

280. She also emphasized that the main objective of the Government was to ensure the positive integration of women and gender issues into the mainstream of all development processes from the planning through implementation to evaluation stages. She informed the Committee that the Government had addressed the integration strategy at national and sectoral levels.

281. Furthermore, the representative mentioned that the Government was committed to enhancing the participation of women in politics and decision-making at national and local levels through legislative and administrative measures.

282. She informed the Committee that major steps had been taken towards the full observance of the legal rights of women and on de facto discrimination against women in the areas of the family, education, employment, health care and nutrition policies and natural resources management. However, she pointed out that a lot remained to be done on both the de jure and de facto levels and that

obstacles such as traditional customs and attitudes, the economic restructuring process and health and ecological crises impeded the efforts.

General observations

283. Members of the Committee commended the frankness and objectivity of the report and commented that the report followed the general guidelines. They welcomed the fact that the Convention had been ratified without reservations. They praised the Government of Uganda for involving non-governmental organizations in the preparation and evaluation of the report in a very innovative way. They suggested that a similar cooperation should be followed regarding the constitutional and other legal reforms.

284. Members commended the Government and, in particular, the President, for having appointed women to high positions in the Government, namely, the woman Vice-President and the five women ministers in the cabinet. Members advised Uganda to take advantage of the political will, including from the President, at those levels to make further necessary reforms. They welcomed the establishment of a Ministry of Gender and Community Development.

285. Other members noted that there were still various obstacles to the implementation of the Convention, such as religious and cultural practices, which had not yet been adequately addressed. It was also mentioned that traditions and customs were very deeply rooted and very diversified.

286. Members of the Committee noted with concern the effects of structural adjustment programmes on women and children. The Committee wanted to know what measures had been taken to deal with the negative effects of those programmes. The representative explained that various studies have been carried out on the effects of structural adjustment programmes on women in Uganda. Information on the findings of those studies would be included in the next report.

Questions relating to specific articles

Article 2

287. Some members of the Committee wanted to know what measures had been taken to amend the Constitution towards granting women equal rights in accordance with the Convention. One member indicated that the Constitution was silent on the issue of gender. She therefore suggested that the Government should take the matter into consideration when revising the Constitution. Others expressed their concern that the Constitution had failed to provide an accurate definition of sex discrimination. One expert referred to paragraph 64 of the report of the State party and asked if initiatives had been taken by women's organizations to make the Government reform the laws.

288. The representative replied that, as mentioned in the addendum to the report of the State party, the issue of equality was being addressed by the draft Constitution. He referred to clause 50 (2) and (3) of the draft Constitution. He also pointed out that the Government has been committed to the elimination of institutionalized discrimination against women. He referred to clause 50 (4) of the draft Constitution.

289. Members of the Committee noted that the Constitution referred to "he" throughout, while referring to both women and men, and suggested that the matter should be corrected. The representative answered that the draft Constitution would specify both men and women, particularly regarding critical issues on

equality before the law, fundamental human rights and other constitutional rights.

290. The report of the State party indicated that the Government had introduced the death penalty for men convicted of rape and defilement. However, because men dominate the police force and crime detection, it was difficult to prove rape in court. The Members therefore inquired what steps were taken to convict men who were guilty of crimes such as rape and defilement. Also, more information was requested on the steps that have been taken to improve law enforcement procedures in the context of rape. The representative stated that the Government had taken measures to address the difficulty of prosecuting rape offenders. In that context, the Ministry of Gender and Community Development had been carrying out a study on the non-prosecution of rape cases. Findings had indicated that there were social, economic, legal and cultural factors contributing to the non-prosecution of rape offenders. The findings had been forwarded to the institutions concerned to call for their action to remedy these problems. This Ministry was also engaged in sensitization programmes, especially for the police and other law enforcement officers, concerning the problem of rape. Also, the Government, in collaboration with non-governmental organizations, both local and international, had been undertaking interventions during the training of police officers to specifically sensitize them on issues affecting women in criminal matters.

291. The Law Reform Commission was presently looking into the controversy surrounding the issue of the death penalty for rape offenders. Results would be included in the next report.

Article 3

292. One member wanted to know how many women were in the Law Reform Commission. The representative replied that figures were given in the addendum to the report: the Law Reform Commission should consist of six members, including at least one woman. However, the Commission currently had three Commissioners, one of whom was a woman. The Secretary of the Commission was also a woman.

293. One member wanted to know whether women's non-governmental organizations were involved in the constitution drafting process. The representative responded that the initial and second reports stated that individuals, as well as organizations representing various interest groups, had been involved in submitting memoranda of their views to the Constitutional Commission. Women's non-governmental organizations had also been involved in that process.

294. In that context, some members wanted to know how many complaints on discrimination against women had been received by interest groups and how many had been judicially disposed of. The representative replied that many complaints on discrimination against women were received; however, owing to the lack of gender-disaggregated data in that office, it was difficult to procure information on the exact number.

295. Another member asked if the Government had a plan to introduce an equal opportunities bill. Furthermore, she wanted to know whether the Government had addressed the issue of violence against women. The representative explained that the Constituent Assembly had considered the question of establishing an equal opportunities commission. He added that the process of drafting the Constitution has been ongoing since 1988 and now had six months to reach a conclusion.

296. In 1970, the Law Development Centre was established for the purpose of extending legal aid for women. The members wanted to know why this scheme had never taken off. In the report, it was noted that the Uganda Women's Lawyers Association could not serve all women in need of legal aid in the country. Members asked whether the Government had established additional legal aid agencies. The representative of Uganda referred to the information contained in the addendum to the report and explained that, in addition to the Uganda Women's Lawyers Association, the Uganda Law Society had been operating a similar project in the four regions of the country. Furthermore, the legal department of the Ministry of Gender and Community Development offered similar services.

297. Some members emphasized that the inferior status of women in the family impeded legal equality of women; they stressed that there was a need to adopt a new family code integrating statutory legislation and customary law. The representative replied that among the strategies to address the inferior status of women in Ugandan society, the Government had embarked on a process of reforming the laws on domestic relations. A draft bill on such a law had been put in place, which sought to integrate both the various customary laws and statutory law into one code. Further consultations and research were still being carried out, especially to ensure that the law was in line with international and regional human rights instruments on the status of women. Moreover, he stated that, as reported in the addendum to the report, the issue of domestic violence would be specifically addressed in the new law on domestic relations. Apart from legal measures, the Ministry of Gender and Community Development had been conducting legal education and sensitization activities on the problem in various parts of the country, together with locally based non-governmental organizations.

Article 4

298. Paragraph 79 of the report referred to Uganda's efforts to increase the level of participation of women in the public sector, based on affirmative action. One member wanted to know what action had been taken concerning the problem of wife beating.

Article 6

299. The report indicated that prostitution was a crime but did not state whether the clients of prostitutes were also considered guilty of a crime and whether they were prosecuted; nor did the report indicate whether measures to prevent acquired immunodeficiency syndrome (AIDS) were applied equally to prostitutes and clients. The representative replied that based on the definition of prostitution and prostitutes, the amended legislation S.134A of the Penal Code allowed for the prosecution of both parties involved in the act.

300. A clarification of paragraph 100 of the report, which referred to the extension of the age category of protected males and females from 14 to 18 years, was required. The representative reported that the age limit for statutory rape had been raised from 14 to 18 years.

301. Members requested more information concerning the trafficking in women in Uganda; what effective measures had been taken to decrease trafficking in women and their exploitation through prostitution? The representative replied that prostitution and trafficking in women in Uganda was highly commercially organized. In that regard, the legal position remained that trafficking in women was a crime under the laws of Uganda and all measures to address the crime would be employed in the event that anybody was arrested.

302. Paragraph 95 of the report noted the need to form policy and special programmes to prevent the spread of AIDS among women prostitutes. Some members wanted to know if such policies or programmes had been initiated. If not, what plans would be initiated in the future? In addressing the AIDS crisis, another member asked about proposals to eliminate polygamous marriages in order to stem the spread of the disease. It was asked how these marriages were viewed by the Ugandan Government.

303. The representative welcomed the recommendations of members for programmes to decrease the prevalence of prostitution. Such programmes should be implemented, especially in view of the danger of the human immunodeficiency virus (HIV)/AIDS. Information on future initiatives would be included in the next report.

Article 9

304. Unlike male citizens in Uganda, women do not enjoy the right to extend their citizenship to their children born outside the country. Similarly, women do not enjoy the right to extend their citizenship to foreign spouses. Furthermore, a married woman citizen is not entitled to have a passport issued without the consent of her husband. Members asked what measures had been taken to correct these inequalities. The representative replied that the existing legal bias preventing Ugandan women married to foreigners from extending their citizenship to spouses and children had been addressed in the draft Constitution. As indicated in the addendum to the report, clause 43 (2) (a) of the draft Constitution stated that every person married to a Ugandan citizen may apply to be registered as a citizen upon providing proof of a legal and subsisting marriage of at least three-years standing. The draft Constitution further stated that men and women should have equal rights at marriage, during marriage and at its dissolution. Such a provision within the Constitution would address the current problems for Ugandan married women regarding passport and travel documents.

305. One member wanted to know whether a husband or father could prevent a wife or child from leaving the country. It was indicated that a girl child born out of wedlock was discriminated against. One expert asked whether these issues were being addressed by the Government. The representative replied that regarding discrimination of the girl child born out of wedlock, the legal position was that all children whether born in or out of wedlock were entitled to inherit equally from their parents.

Article 10

306. Paragraph 158 of the report referred to pre-primary school as a "private business". Members wanted to know whether the Government would revise its attitude towards pre-school education. The State party replied that the competition for entry into good primary schools had mainly occurred in urban areas and that the majority of the residents could afford the cost. However, the Government of Uganda had taken note of the concern of the members about the danger of abuse in the provision of education by private institutions. More detailed information would be provided in the next report.

307. In Uganda, 49 per cent of households are headed by a single young woman. The Committee wanted to have more information about the age of these young women and asked what measures had been taken by the Government to prevent early pregnancy, which disrupts education.

308. According to the report, 81.4 per cent of girls who should be in primary school enter into matrimonial relationships. Members inquired whether there was a special curriculum made available to these girls in order to make up for the lost primary education, and if not, how was the Government going to deal with that issue in the future. Several members expressed concern regarding the high number of pregnancies among young girls that had been caused by teachers. That could account for the high drop-out rate of girls who had suffered such violence. Members asked what measures had been taken to address the problem. Had information been provided to young girls about the dangers related to early sexual intercourse?

309. The representative responded that, as stated in the addendum to the report, the Ministry of Education was incorporating family life education, which included sex education, in the school curriculum. The Government as well as non-governmental organizations had been carrying out adult education and functional literacy programmes to target women and men who had not had an opportunity for formal education. Statistics indicated that the majority of persons attending those programmes were women. Specific statistics would be included in the next report.

310. Additional information was requested by members on primary education; was primary education compulsory and were there any age limits? The representative stated that the minimum age for entry into primary school for children in Uganda was six years old. He referred to the addendum to the report, which stated that government policy was aimed at providing compulsory universal primary education by the year 2003. As to the financial resources, the representative replied that the process of providing government aid would be a gradual one; by gradually transforming the current educational system, primary education would become government aided, and university and other forms of tertiary education would be on a cost-sharing basis.

Article 12

311. Abortion was carried out in Uganda even though it was illegal. Members requested additional data on abortion. The representative answered that statistics on women dying from abortion had been difficult to obtain because the records from various hospitals were not compiled at one focal point. However, statistics from the main national hospitals indicated that in 1992 induced abortion accounted for one third of maternal deaths. While it had been possible to provide statistics on the ratio of HIV/AIDS infection between men and women, actual figures of people dying of AIDS had been difficult to get since the medical reports indicated the immediate causes of death, such as pneumonia, tuberculosis, etc., rather than AIDS. Furthermore, many deaths had not been reported by hospitals because they happened at home, especially in rural areas.

312. Members also wanted to know if a woman who was infected with AIDS could have a legal abortion. The representative explained that the legal position on abortion was that if two medical doctors independently agreed that it was necessary for the woman's health, then an abortion could be performed.

313. In reference to paragraphs 251 and 252 of the report, the Committee wanted to know how successful government programmes had been in combating the spread of AIDS. Also, in reference to paragraph 259, the members wanted to be provided with a statistical update on AIDS. The representative replied that updated statistics on the prevalence of AIDS in Uganda were included in the addendum. Whereas the government programmes to combat the spread of AIDS now reached 90 per cent of the population, a corresponding change in sexual behaviour had

not been achieved because that took some time. Government programmes to combat the spread of AIDS had to target all members of society, and should include information on the use of condoms. To provide for the latter, however, was a matter of financial resources.

314. Members requested specific statistics regarding the incidence of rape and incest, particularly of young girls. The representative explained that that information was difficult to obtain since there was no coherent pattern in police records.

315. As to the difference in the number of births per woman as stated in the written and oral reports, the representative stated that the recent increase of fertility rates could be explained by AIDS and high infant mortality rates.

316. The Members raised concerns about female circumcision in Uganda. They wanted to know why immediate action had not been taken to abolish that tradition, which was still practised in some parts of the country. Furthermore, what penalty was given to the person performing the female circumcision? Had there been any programmes to re-educate or inform those persons about the dangers of circumcision? The Committee also requested more information on traditions and customs in Uganda. For example, were there any food taboos?

317. The representative replied that concerning health-related customs and taboos, the situation was that there were several tribes in Uganda with different customs and practices affecting women. Government policy had been to discourage customs and practices with a negative impact and promote the positive ones. The draft Constitution provided that any custom that was contrary to the fundamental human rights provided in the Constitution should be declared null and void. It was hoped that that provision would provide an effective challenge to the practice of female circumcision. Furthermore, the Inter-Committee for Africa, a regional organization that was addressing negative customary practices in Africa, had been operating programmes in Uganda. The Government of Uganda had also been carrying out sensitization programmes on female circumcision and other negative customary practices.

318. A member commented that the Government described prostitutes as a danger to society because of HIV/AIDS. Table 22 of the report indicated that only 2 per cent of the population had been using condoms. Had anything been done to inhibit the spread of AIDS among prostitutes by distributing condoms to them? Were there any programmes to inform the population about the use of condoms? The representative replied that there had been various general programmes for AIDS in Uganda. That information had already been included in the reports.

319. Table 19 in the report stated that there was a shortage of health personnel. Members believed that traditional healers and traditional medicine were the key to making assisted child bearing a financial possibility. Had Uganda made an effort to systematize its network of traditional birth attendants and traditional healers? Were development strategies making use of traditional knowledge, as opposed to imposing foreign approaches? What kind of family-planning facilities were available to women in rural areas? In response, the representative referred to the addendum to the report.

320. Members suggested that women in high political positions should become involved in information campaigns about the use of condoms, the spread of AIDS, etc.

Article 14

321. As to what measures had been taken to decrease illiteracy, provide health services and social protection to rural women and provide them with access to family planning, the representative referred to the addendum to the report.

Article 16

322. Some traditional practices such as polygamous marriages, as well as incest and rape, had furthered the spread of AIDS. Members inquired what programmes had been offered by the Government to women and men in order to prevent the transmission of AIDS. The representative replied that the issue of polygamy was considered in the new law on domestic relations.

323. Regarding interference and harassment by fathers, brothers or other relatives against widowed women when they had acquired property from deceased husbands, members wanted to know what measures had been taken by the Government to protect such women, legally as well as physically.

324. Concerning the issue of double standards in adultery and divorce, the representative replied that the provision in the draft Constitution on the equality of men and women in marriage, during marriage and at its dissolution was addressing the issue. Currently, the Ministry of Gender and Community Development was conducting a research project on women and inheritance in order to make recommendations to amend the current law in order to empower women in inheritance and succession matters. Existing legal provisions to protect women in succession matters were contained in the Administrator Generals Act, the Succession Act and criminal law. The Government had been sensitizing women through legal education on the existence of those provisions and institutions.

Concluding comments of the Committee

Introduction

325. The Committee commended Uganda for ratifying the Convention without reservation and for submitting the report which followed the guidelines. In spite of the long years of internal conflicts Uganda had instituted measures to implement the various provisions of the Convention that would redress past imbalances.

Positive aspects

326. Uganda is about to put in place constitutional reforms that recognized discrimination on the grounds of sex. This was reflected, inter alia, by the creation of the Ministry of Women in Development, Culture and Youth renamed the Ministry for Gender Equality and Community Development.

327. Commendable progress has been made in increasing the representation of women in public life through affirmative action.

328. The close collaboration between the National Machinery and non-governmental organizations in the development of gender-specific programmes is a very positive move.

329. Measures have been taken to improve the condition of rural women with credit targeted to 70 per cent of them and through legal services.

330. The Office of the Ombudsman has been established to receive and investigate complaints on the violation of human rights.

Principal subjects of concern

331. The Committee expressed serious concern over the alarming death rates among women as a result of the AIDS crisis, particularly among women of child-bearing age, and its association with high fertility rate.

332. The Committee expressed concern at the prevalent religious and cultural practices still existing that perpetuated domestic violence and discriminated against women in the field of inheritance.

333. The Committee expressed serious concern about the continuing practice of genital mutilation, such as specifically female circumcision in one area of Uganda.

334. The Committee was concerned at the privatization of pre-school education, which was an impediment to early education for children, particularly for those in the rural areas.

335. The Committee was concerned at the very high percentage of households headed by girl children.

336. The Committee was deeply concerned by the sexual abuse against school children by their teachers and other adults. They noted that this had serious consequences on their lives, among others, high rate of school drop-outs.

337. The Committee was seriously concerned about the harassment practised by the police against women who reported on cases of violence.

Suggestions and recommendations

338. The Committee suggests that existing measures be reassessed to combat AIDS. Foremost of these should be the intensification of preventive measures, such as public education in sexual and reproductive health, as well as more effective health delivery systems in these areas.

339. The Committee recommends that better methods of data collection on the incidence of AIDS cases amongst women and deaths due to AIDS should be developed.

340. The Committee recommends that measures be taken to raise the awareness of teachers and citizens in order to halt sexual abuse against children. The Committee recommends further that campaigns be initiated to prevent children from forming a family too early.

341. The Committee recommends that legal measures be taken against all religious and customary practices that discriminate against women. Furthermore, awareness programmes must be put in place to change mentality and attitudes. The Committee also recommends that laws be amended to empower women in matters of inheritance and succession.

342. The Committee suggests that pre-school facilities be made accessible and affordable, particularly for low means families.

343. The Committee suggests further that programmes be instituted that allow for continued education for school drop-outs and that family life education be part of the school curriculum.

344. The Committee feels that it is necessary to develop an overall programme of prevention of violence against women and of attention to be given to the victims, which includes the need to educate the police to treat and handle the violated woman in such a way that their predicament will not be worsened. This creation of awareness is necessary since Uganda's draft Constitution recognizes this kind of treatment as illegal.

3. Second periodic reports

345. Following the procedure adopted by the Committee at its ninth session 8/ for the consideration of second and subsequent periodic reports, issues that appeared necessary to be discussed with the representatives of States parties submitting second or subsequent periodic reports were identified in advance by a pre-session working group. In addition to those, members raised questions during the consideration of the reports.

Finland

346. The Committee considered the second periodic report of Finland (CEDAW/C/FIN/2) at its 272nd meeting, on 24 January 1995 (see CEDAW/C/SR.272).

347. In his introductory statement, the representative of Finland recalled his country's official equality policy of more than 20 years with the object of altering the division of power and work between the sexes in family life and public decision-making. It implied economic independence and the right to reconcile work and family life for both women and men. It required concrete active measures in addition to creating equal opportunities and a re-evaluation of the traditional role of men. The period of recession between the years 1991 and 1994 had created additional challenges for the policy makers and because of unemployment it had reduced the standard of living of all households. But, whereas the economic development was clearly gender-divided, the unemployment of women had been lower than that of men, regardless of the economic trends. Poverty among single parents was in 1990 the same as the average level among the entire population.

348. The representative underlined the role of the public sector as a supplier of services, which were crucial to equality of women, such as free school meals, children's day care and the care of the elderly and people with disabilities. The public sector was also the main employer of women. Women's contribution to the Finnish national economy was equal to that of men. A major problem that had not been solved yet was the wage gap in that women's wages were still only 80 per cent of men's wages although women had high educational levels. Another problem that was serious and deeply rooted in culture and in power structures of the society was violence against women. Although it had only recently become visible, its elimination had become one of the main objectives in promoting equality.

349. The strong representation of women in politics was, as stated by the representative, the result of intensive work of political and other women's organizations and of the electoral system. In spite of that, decision-making especially in economic policy was still firmly in the hands of men. As it was easier for women to achieve positions in elected bodies rather than as appointed members, the recent adoption of the amended Equality Act was important because it stipulated a quota of 40 per cent for both sexes in governmental and local government committees. It also obliged authorities to promote equality in a systematic manner.

350. After the introduction, which was given by the Minister Responsible for Gender Equality, the replies to the questions raised by the Committee were given by a whole team representing the Government.

General observations

351. Members commended the report presented, in particular because of its extensive statistical data and charts, which were helpful to understand the development process and changes that had taken place since the presentation of the initial report. They congratulated the Government on having held a public hearing before finalizing the report, in which representatives from different organizations, including non-governmental organizations, were invited, and on having used their comments and suggestions to revise the report. They felt that the reporting process seemed to be objective and unbiased, which was an indication of the Government's commitment to implement de facto equality of women according to the provisions of the Convention. They stated that the period covered by the report was long enough to evaluate the impacts of the Equality Act and other measures taken to implement the Convention, and consequently they felt that the report would have been enriched if the impact of the Equality Law in different areas had been reflected.

352. Regarding observations as to whether the Convention was included in the Statute Book of Finland and what impact it had on the daily judgements affecting the rights of women, the representatives said that the Convention was, indeed, included in the Statute Book of Finland of 1994, which had been published recently. However, although the Convention had the force of law, it had not been directly invoked by the courts of justice and the administrative authorities. This was attributable to the fact that judges had not had a profound training in human rights issues. As, currently, the university education of legal professionals included teaching on human rights instruments, it was to be hoped that the provisions of the Convention would in future be directly taken into account in court decisions. However, further information of the importance of the Convention was still needed. None the less, the provisions of the Convention had been taken into consideration in drafting new legislation, for example the Equality Act, and the process of preparing the second periodic report had some impact on Finnish administration and legislation.

353. In their concluding observations the members of the Committee commended the presence of such a large and high-level delegation and the detailed replies given. They considered particularly laudable the new legislation regarding domestic violence, the emphasis on changing men's roles, the amendments in the child-care system in an effort to reconcile family life and work, the decrease in the rate of abortion, the quota system and the attention given to specially marginalized groups and underlined as particularly remarkable that in Finland equality was considered a human rights issue.

Questions relating to specific articles

Article 2

354. Regarding observations made on ways to improve women's possibilities of participating in national defence services, the representatives said that the Government bill for the voluntary military service for women had just been adopted. It allowed women to perform voluntary military service, to participate in national defence as reservists of the Defence Forces or to enter the military profession on the same conditions as men, provided they were Finnish citizens and aged between 17 and 29.

355. Asked about protective measures of women who had become victims of discrimination against possible reprisal, the representatives said that the new

Equality Act prohibited reprisals and entitled the employee, who had been subjected to the prohibited actions of reprisal, to seek damages from the employer. The representatives explained that compensation caused by damages through discrimination in employment according to the Equality Act could amount to between 15,000 and 50,000 markkaa. The amount could be doubled in severe cases of discrimination. In addition, it was also possible for the victim to claim damages for financial loss.

Article 3

356. Regarding initiatives taken by the Government to update the Act on domestic violence and to give women the right of recourse to the Equality Act, the representatives explained that legal remedies in cases of domestic violence were contained in the Penal Code, which was currently under revision. The most important legal change was to consider rape within marriage a criminal act. A further change would provide that all acts of violence were equally punishable, whether committed in or outside the home. Assault and battery would always be prosecuted by the public prosecutor, apart from petty cases. Assault and battery were always prosecuted by the public prosecutor if committed against children under 15 years of age.

357. In additional comments, members expressed concern at the spread of sexual violence and asked how that phenomenon was compatible with economic independence of women. They considered educative measures and publicity as most important to curb the level of violence against women and asked whether particular programmes existed to deal with the problem of violence against particularly marginalized groups, such as refugee, poor and disabled women. In reply to further questions, the representatives stated that assault and battery, whether committed inside or outside the home, could be prosecuted without the consent of the victim. Since assault and battery were considered to be serious crimes, however, the accused could only be tried in the presence of the victim. Counselling services for victims of incest and rape were available free of charge. A special help-line service was set up to assist female victims. Men with a tendency to violence were offered a possibility to discuss their patterns of behaviour in an effort to break them. Special training was administered to police officers, social workers, doctors and school nurses.

358. Given the small size of the Finnish population (4 million) living in only 450 local communities, it was explained that an ombudsman at the municipal level was not considered necessary.

Article 6

359. In reply to questions about attempts to monitor the trafficking in women for purposes of prostitution, sex tourism and bride trade and the role of the Equality Ombudsman in the matter, the representatives stated that after having studied ways of curtailing the sex business, the Ministry of Labour had stopped employment services for sex work in employment exchange offices and cut off financial support for starting enterprises in the sex industry. The Equality Ombudsman had chaired a working group to make a survey on the applicability of the present legislation to restrict sex industry, and had proposed concrete measures to limit the increasing trafficking in women and expanding sex business, and clarify the legal rights of sex workers. They also mentioned that there would be a Nordic Conference on prostitution where the so-called "moving prostitution" from the Russian Federation and the Baltic States would be one of the topics of discussion.

360. Additional questions were raised about whether an increase in prostitution and traffic in women was noticeable in view of the dire economic situation of the Baltic States and whether related interim measures had been taken. The representatives stated that it was often part of other criminal activities and that special services were set up to help prostitutes and reintegrate them into society.

Article 7

361. Regarding questions about policies to combat discrimination with regard to women's representation on the Council for Equality and in planning and decision-making bodies, it was stated that the Council was continuously drawing attention to the composition of important planning and decision-making bodies and processes. It put women's issues on the political agenda, promoted gender studies and had established in 1988 a Subcommittee for Men to activate men in promoting equality.

362. Asked about the impact on legislation and politics of the increase in the number of women elected to parliament in recent years, the representatives said that so far decisions had not been greatly affected, partially owing to the recession and the necessary cuts in the budget. However, through networking, women members of parliament had succeeded in improving child-care arrangements, in making women's issues more visible and in sensitizing the legislative work to the gender issue.

363. Asked about a clarification of the apparent contradiction between the breakthroughs made by women in the political sphere and their low numbers in the State administration, the representatives explained that the breakthroughs in the State administration took several years to materialize. Recent examples were the appointment of women to the posts of Governor of the Bank of Finland, of university rector and of permanent secretary of the Ministry of Justice. Women's representation in important bodies was presently much discussed in public.

364. Members made additional comments about the discrepancy between the Government's commitment to equality and the scarcity of women in higher administrative posts and asked whether specific sanctions existed, and whether the Government was determined to combine result management with equality promotion. They welcomed the fact that a study would be undertaken on the political impact of women's increasing political participation and requested that the subsequent report give further information on such effects.

365. In reply to additional questions about the financing of women's election campaigns, the representatives stated that women usually used less money on their campaigns and collected it from a smaller number of sources whereas men more often "institutionalized" supporters. Specially in the past, women's political organizations had played a crucial role in women's campaigns.

Article 9

366. Regarding the residence situation of a foreign woman married to a Finnish citizen, who was abandoned or separated, it was explained that the woman was expected to leave the country after the divorce if the marriage had lasted less than two years or if the cohabitation period had been brief. That decision could be appealed to the Supreme Administrative Court.

Article 10

367. In reply to the question whether human rights education was incorporated in the school curricula, the representatives stated that attempts were under way to develop human rights education based on a national evaluation of the comprehensive school system, which set as basic criteria the respect for human dignity and for life. One of the requirements of the most recent national education plan was that materials advancing the equality objectives were available to teachers and pupils.

368. In reply to additional comments made by members about the way in which foreign women were informed about their rights, the representatives mentioned a booklet that had been prepared by the Ministry of Social Affairs and Health, providing information on residence permit issues and the status of women and children in Finland. Finland had also the institution of an Ombudsman for aliens to whom aliens could turn for information.

Article 11

369. Members asked why the pay differentials between women and men were still rather wide, whether there was a connection to the feminization of unions and how the market economy had influenced the bargaining power of unions and reduced a direct benefit to women. The representatives explained that the Finnish labour market was strongly segregated into women's and men's jobs. The female-dominated fields in the public sector had a lower capacity to pay wages and, even within the same field, women's wages were normally lower than those of men. Whereas for the collective agreements male-dominated industrial trade unions had more weight to back up their demands, the female-dominated unions mainly in the public and private service sectors did not have enough power to adjust wages. Asked about the effects of job re-evaluations, it was said that they were expected to help resolve the problem and several such projects were presently being carried out by several labour market organizations. Members requested more information on the topic in the next report. The representative explained further that equal pay had been a main concern of the Council for Equality.

370. Regarding measures to improve women's working conditions and to overcome gender segregation in the labour market, the representatives stated that occupational segregation had diminished from 1985 to 1990. The amended Equality Act required the employers to take certain measures to promote equality. Employers with more than 30 employees were obliged to draw up annually, in cooperation with the works councils, a plan of action for equal employment opportunities. In reply to a specific question, the representatives said that there were no rules as to goals and timetables in the contents of such equality plans. However, it was necessary that they contained concrete actions. The equality plans would be a part of personnel and education plans or labour protection plans. Specific measures to overcome gender segregation were in-service training for physics teachers in general education, mentoring services for women in technical vocational training, and technical courses for girls in general education. The Equality Act did not provide sanctions if equality plans were not made, but employers could be sued for discrimination when failing to draw up such plans. The obligation to make equality plans was placed upon both private and public sector employers.

371. Considering the proposal to reduce State expenditure, questions were raised regarding day-care facilities and possible actions undertaken by women's organizations to forestall withdrawal of financial support so that women could

continue working outside the home. The representatives explained that the goal was to ensure a diverse range of services, such as a choice between public day-care and home-care allowance for children, a system of child care leave for both parents and an experiment with service vouchers, which would enable parents to choose the place of day-care for their child.

372. Regarding several questions about sexual harassment in the workplace, the representatives said that in addition to the new Equality Act, which referred to that offence, several acts had been interpreted to cover sexual harassment. However, as the original Equality Act did not explicitly mention that offence and relevant cases had been prosecuted as illegal termination of employment contract, assault, battery or rape, no concrete data were available on the number of court decisions or cases pending.

373. As regards questions about measures to reduce the deterioration in the quality of working life for women caused by "time pressure and stress", the representatives stated that the emphasis of labour protection lay on industrial work and prevention of accidents. Labour protection in fields dominated by women was only just emerging and it was necessary to develop methods of supervision and training of personnel in that field.

374. Regarding additional questions raised about whether the Labour Laws were in line with the directives issued by the European Union the representatives said that they were in compliance with those directives and some of them were still undergoing change.

375. Concerning an additional observation about the lower wage level in the public sector, the representatives stated that in a period of recession the Government considered it more opportune to save jobs in that sector at lower wages than have less jobs at higher salaries and felt that salaries in some areas of the private sector were generally too high.

376. In reply to another additional observation the representatives said that statistics showed that women occupied 2 per cent of high management positions in the private sector.

377. Another additional observation referred to any plans that might exist to deal with girls' continuing choice of traditional fields of study and with the gender-segregated labour market. The representatives commented that boys and girls were encouraged to choose non-traditional areas, but underlined also that so-called women's jobs were of great importance.

Article 12

378. Regarding questions about investigations into the causes of the gradual decrease in the number of abortions and requests for specific statistical data on the subject, the representatives replied that in 1992 a survey had been carried out. It brought to light that the new family planning strategy adopted in the 1960s, which was based on educational measures and on easy access to family planning means, advice and services, had led to a decrease in abortions, in general, and teenage pregnancies and abortions in particular. Birth control services had been free and the focus had been on a reduction of the health risks associated with sexual activity rather than on its repression. The average rates of legal abortions had decreased from 12.3 per thousand in 1980 to 8.1 in 1993.

379. The birth rate had been continuously rising since 1986. A booklet about the evolution of reproductive health in Finland entitled "How We Did It" as well as Finland's "Report on the Implementation of the Nairobi Forward-Looking Strategies" were distributed, which contained the requested statistical data and detailed information about the methods of contraception used.

380. In reply to additional comments about the rise in birth rate, which was unusual for a European country, the representatives said that it was a result of the improvement of the day-care system and the increase in child allowances. The use of the pill RU 486 was not allowed, however. In reply for an explanation sought of the statement that "the first contraceptive method" was provided without charge the representatives said that the birth control services were always provided free of charge. The birth control methods (for example pills) had to be paid for, apart from the first contraceptive method, which was provided free of charge. Women were free to choose the method of birth control they wanted.

Article 13

381. Members raised an additional question regarding women's pension rights and inquired whether single women had sufficient means to be economically independent at an older age in spite of working shorter hours and living longer years than men.

Article 16

382. In response to questions about equal division of property acquired during the marriage at its dissolution and income provided to women when the marriage ended the representatives replied that the Finnish Marriage Act rested on the principle of separate ownership. Both spouses were the sole owners of their property, including the property acquired in marriage and, at divorce, their property was usually divided into two equal parts unless a marriage settlement agreement provided differently. Under the Marriage Act the spouses were required to contribute to the joint finances of the family and to the maintenance of the spouses. During the divorce procedures the court may order the spouse to pay maintenance to the other spouse to the extent it deemed reasonable. Maintenance order for spouses had been granted very rarely. According to the Nordic model the foundation of a person's maintenance was the person's own income or individual social security.

383. Responding to additional comments the representatives explained that the divorce procedure had become easier and that even if women ended up in a worse financial situation after divorce, the social security system guaranteed the minimum means for living. If parents could not agree on the custody of their children, the courts decided. If they reached agreement among themselves, that agreement had to be confirmed by the municipal board of social affairs.

Concluding comments of the Committee

Introduction

384. The Committee applauded the State party for an excellent presentation, based on the Committee's guidelines, of a thoughtful, stimulating and inspiring report on progress in the implementation of the Convention and in the promotion of gender equality within Finland.

385. The Committee commended the State party on consideration given and actions taken in response to the Committee's comments on the State party's initial report.

386. The Committee noted with satisfaction the constructive dialogue that also ensued from the questions it posed to the second periodic report under current deliberation.

Positive aspects

387. The Committee commended the recent publication of the Convention in the Statute Book of Finland 1994, as well as the continuing amendment of the Equality Act to further enhance the equality of women and men.

388. The Committee welcomed the positive approach of the State party to the reconciliation of family and work, and to re-examination of the traditional roles of men in this context, as a primary condition to the promotion of equality.

389. The Committee noted with satisfaction the inclusion in the report of special information on minority women, because of their particular vulnerability to discrimination, and similarly the plans to foster education for equality as a matter of human right and dignity.

390. The Committee expressed appreciation for the decrease in teenage pregnancy and in the incidence of abortion, as a result of the State party's comprehensive policy that includes family planning education, free birth control services and the availability of legal abortion as a measure of last resort in cases of contraceptive failure.

Principal subjects of concern

391. The Committee voiced concern over patterns of violence against women, including incest, that had only recently become apparent and were presently a subject of governmental consideration, though noting the recent criminalization of marital rape as a positive step towards removing the public-private distinction that had hitherto hindered governmental intervention. It similarly expressed concern in this respect on the matter of trafficking in women from foreign countries and sex tourism.

392. Another concern pertained to patterns of occupational segregation and to disparities in wages between men and women, despite the official governmental policy of economic independence as central to attaining goals of equality.

393. The Committee also expressed concern about the relative absence of women from high decision-making professional and administrative positions in both the public and private sectors (the glass-ceiling phenomenon), though noting the recent legislation mandating 40 per cent representation of both sexes in governmental appointed bodies at national and local levels.

Suggestions and recommendations

394. The Committee suggests that the third periodic report should include information on efforts made to achieve equal pay for work of equal or comparable worth, especially taking into account the role of government as employer in the female-dominated public sector. It recommends that concrete guidelines in this

respect also be issued to those employers subject to a duty to design plans for implementing equality under the recent amendment to the Equality Act.

395. It further suggests that attention be paid to issues of violence against women, sexual, domestic and otherwise, with particular sensitivity to the vulnerability of foreign and minority women.

396. The Committee recommends that measures be taken to educate and train judicial and administrative officials in applying the provisions of the Convention, as a matter of human rights.

397. The Committee strongly recommends that the current discussion of the Finnish Constitution Act refers to the suggestions made by the Council for Equality and the Equality Ombudsman that the promotion of equality between the sexes should be included in the obligations of the State.

Peru

398. At its 275th meeting, on 27 January 1995, the Committee considered the second periodic report of Peru (CEDAW/C/13/Add.29).

399. In presenting the report, the representative underlined the importance that the Government of Peru attached to the implementation of the Convention, which it had ratified in 1982. She informed the Committee that she was presenting an updated version of the second periodic report, which had been submitted in 1991. The representative focused on the main features of Peruvian society, highlighting the wide differentiation existing between rural and urban areas, with specific laws for each, and the efforts to include these differences in the Constitution of 1993, including some ancient customs of the indigenous population. She highlighted the fact that terrorism, economic recession and hyperinflation had nearly led the country to a state of collapse, to which the Government had reacted with emergency measures for political stabilization and reconstruction of the country. The main measures taken included structural changes in the economy and in international economic relations, the promotion of human rights and democracy and the adoption of a new constitution adapted to the economic, political and social changes that had occurred during the past few years. She pointed out that the new Constitution was being implemented through the development of rules and institutions that would ensure its viability. Since 1993, a Programme for the Elimination of Poverty, financed from both national and international resources, was being implemented in the most affected areas of the country and with specific focus on education, health and justice.

400. The representative reported on the main current aspects of women's life in Peru. The public visibility of women was evident in the large number who participated in various levels of decision-making and as community leaders. This was explained by the high level of participation women have had during the past decade, as professional and community leaders, in actions for defence against violence and of providing for the basic needs of the people. She reported that the Government gave special importance to women's organizations and non-governmental organizations, for which it had created a law ensuring the support and financing of their activities. She informed the Committee that a Permanent Commission on Women's and Children's Rights had been created in the Ministry of Justice. This Commission, which has a coordinating function between the State and civil society, develops and disseminates studies and promotes the defence of human rights for women and children as well as legislative changes, and coordinates and promotes actions regarding women and children in

coordination with the executive, civil society and international organizations. It evaluates its activities and develops a platform of action for women. The Commission includes members from governmental institutions, the Church, the private sector and non-governmental organizations concerned with issues related to women and children.

401. She also pointed out that, as a result of terrorism, there had been a growing number of women heads of households. Equality in access to education had nearly been reached and girls represented 50 and 40 per cent of students enrolled in primary and secondary levels of education, respectively. Women's access to formal market labour continued to be restricted by their parenting activities, which were not yet shared by men. Although, at the national level, fertility had declined and more women knew about methods of contraception, there was a wide difference between rural and urban areas. She stated that the Constitution gave equality between women and men clear legal support and that the Civil Code, the Labour Code and the Children's Code were under review. The Government had appointed a growing number of women to top decision-making levels in all sectors of the executive, legislative and judicial systems.

General comments

402. The members of the Committee welcomed the fact that Peru had ratified the Convention without any reservations, that the Convention was an integral part of domestic Peruvian legislation, and that, in the event of any conflict, the Convention would prevail.

403. Members noted that Peru's second report did not take into account observations made by the Committee on the first report and did not even follow the Committee's guidelines. The representative emphasized that, in 1990, at the time of the preparation of the second report, the country's situation had been especially difficult and had impeded the normal functioning of several institutions. She informed the Committee that subsequent reports would take into account the guidelines for the preparation of the reports.

404. When the initial report was submitted, the Committee, while recognizing the enormous difficulties facing the country, had asked for more detailed information concerning the existence of women's organizations. Members noted that the current report did not provide relevant information on that point. Members also asked whether the report had been published. In reply to a question as to whether non-governmental organizations had been consulted, the representative informed the Committee that in Peru there were 110 women's non-governmental organizations, including eight networks, and that common action was being developed in order to promote a new social perception of women, gender perspective in social and economic policies and women's participation in decision-making.

405. Members expressed concern that the lack of official statistics on the status of women, to which the report referred, was a source of sexist prejudice which impeded the understanding of the situation of women in Peru. They wanted to know what the Government was doing to update or improve data pertaining to the status of women. The representative replied that subsequent reports would include statistics on women which were collected in the 1993 national census. The National Institute of Statistics and Computing had formed the Inter-institutional Commission for the System of Social Indicators on Children, Youth and Women for the generation and systematization of statistics on these groups.

406. In the context of legal initiatives undertaken since the initial report, one member asked which of the two Acts - No. 25011 and No. 23506 - afforded better protection against discrimination. The representative replied that law No. 23506, concerning habeas corpus and amparo, had been promulgated in 1982. That law had been modified in 1989 through law No. 25011, and in 1992 by legislative decree No. 25433. Those laws seek to guarantee individual freedom to men and women which can be enforced through the Constitution. She noted that, consequently, women can enforce the rights established in the Convention through those laws.

Questions relating to articles

Article 2

407. Article 101 of the Constitution provides that international treaties subscribed to by Peru shall subsequently form an integral part of national legislation, and that the Convention thus supports and protects women against all forms of discrimination. In reply to concerns raised by the Committee relating to the real force of this provision, the representative stated that, effectively, the Constitution of Peru provided that international treaties concluded by Peru formed part of municipal law, and, accordingly, article 2, which established that everybody is equal and cannot be discriminated against by reason of sex, was part of the law of the land. She agreed that despite the increase in the integration of women in public life during 1990, de facto inequality between women and men was still persistent.

408. Asked about the specific content of the equality clause in the National Population Law and whether recourse was available in the event that national equality legislation was not applied at the local level, the representative said that the National Population Law established equality between men and women where family planning was concerned and provided recourse to courts.

409. The report stated that relatively minor provisions of the former Civil Code concerning women had been retained in the new Code, which was promulgated in 1984. Members of the Committee requested information on how many cases had been heard by the courts under the new Civil Code with a view to halting activities that discriminate against women. The representative said that the Civil Code of 1936, which discriminated against women, had been replaced by the 1984 Civil Code after the promulgation of the 1979 Constitution, and that the main changes introduced concerning discrimination were with respect to married women. She informed the Committee that there was no information on cases of discrimination or their prosecution by the judiciary and that studies are required in this regard.

Article 3

410. As to the new Constitution which entered into force in December 1993, various concerns had been expressed with respect to a number of elements, especially the fact that the principle of fundamental equality had been eliminated and that economic, social and cultural rights had been omitted from the category of fundamental rights. It was also pointed out that, by and large, the State no longer shouldered the responsibility for social welfare, such as the provision of health services, education and land redistribution; it was feared that all this had negative repercussions for women and had affected their status. The representative emphasized that the 1993 Political Constitution of Peru included chapters on "The Fundamental Rights of the Person", "Social and Economic Rights" and "Political Rights and Obligations". These three chapters

made specific reference to the role of the State in the area of employment, health, education, security, public services and infrastructure. Furthermore, she pointed out, the Government had given priority to the elimination of poverty by the establishment of a large programme of public expenditure on education, health and basic justice. This social policy put special emphasis on the most vulnerable sectors of the population, specifically women and children. Furthermore, article 4 of the Constitution clearly stated that the community and the State are both responsible for the protection of abandoned children, adolescents, mothers and the elderly. Following the 1993 Constitution, land distribution was effected through market mechanisms.

411. As to the questions of specific integrated policies for women, the representative informed the Committee of the public policy regarding women and its objectives. These include: access to decision-making, equality and equity in the benefits of development, equality with men in political participation and citizenship, incorporation of gender equity in the mainstream of public policies and elimination of cultural and attitudinal sex stereotypes. She further emphasized that the Government was coordinating its action with that of women's NGOs, specifically in nutrition, health, education programmes and in rural areas. She also made reference to other coordinating activities around specific issues.

412. Asked whether a Police Commissioner's Office for Women has been created and, if so, how it operated, the representative replied that, since 1988, the Government had opened 12 women's police offices. These offices, which have the support of women's NGOs, offer affected women legal, psychological and social advice. These actions have the support of women's NGOs.

Article 5

413. Members of the Committee noted that human rights organizations had documented cases of rape perpetrated against rural and indigenous women in areas subject to civil strife. There are reports of 40 instances of rape allegedly committed by security forces in the course of interrogations in such areas. It had been estimated that only 10 per cent of all rape victims officially reported the crime because it is difficult to prosecute perpetrators. There were also reports of rape by members of Shining Path. In reply to requests for more information about the causes of violence experienced by these women and preventive action that has been taken, the representative informed the Committee that, according to investigations carried out by the Government and NGOs women had been the victims of terrorist activities by the Shining Path and the Revolutionary Movement of Tupac Amaru, as well as in some instances by the security police force. Investigations were under way to prosecute such crimes.

414. Peruvian non-governmental organizations have compiled very thorough data on violence against women, and members of the Committee wanted to know what concrete steps or initiatives the Government had taken to protect the fundamental human rights and dignity of women and the physical integrity of its citizens. In reply, the representative said that law No. 26260, promulgated in 1993, established the legal framework to confront domestic violence. That law, which was currently being implemented and disseminated, had been accompanied by the creation, in the capital, of advice centres for women. Other measures were being implemented, including changes in school curricula, campaigns for the dissemination of the law and its importance and the opening of a greater number of women commissioner's offices.

Article 6

415. When the initial report had been considered, further information had been sought with respect to the extent of prostitution, the role played in that phenomenon by poverty and the steps taken to combat it, including the establishment of health identification cards. While the current report described a disturbing increase in the number of women engaged in drug-trafficking and terrorism, no mention was made of the problem of prostitution, even though the aforementioned activities generally led to prostitution. The representative was requested to inform the Committee whether houses of prostitution were widespread and health checks effective. The representative informed the Committee that the Penal Code regulated prostitution and included obligatory sanitary control. She pointed to studies carried out by NGOs and to studies planned by the Government to obtain more information and statistics on this issue. Child prostitution was condemned in the legal code.

416. Replying to a question as to whether the Ministry of Justice had taken any steps to improve the condition of female prisoners, the representative said that women prisoners represented nearly 10 per cent of the total of prisoners and that they were placed in prisons exclusive to women, mostly attended by women officers. Supreme resolution No. 047-92-JUS specified that children of female prisoners up to the age of three could be accommodated in separate child-care centres. She noted that many of the leaders of the terrorist movement were women. She also noted that training programmes in human rights were developed for police officers in this respect.

Article 7

417. Asked about specific measures taken by the Government to increase women's participation in the decision-making process, the representative informed the Committee that the Government had appointed two women ministers and increased women's visibility by nominating them to various levels of decision-making in central government and its autonomous agencies.

418. Regarding the request for specific information on women in the various sectors of public affairs, and especially in politics, she informed the Committee that in 1979 the right to vote had been extended to illiterates, who were mostly women. However, the political participation of women was very low and its growth slow; she quoted statistics showing that at the local level, in the country and Lima, respectively, 5 per cent and 11.6 per cent of mayors were women. In 1990, women represented 40 per cent of members in the professional organization of accountants, and 20 to 25 per cent of members in professional organizations of doctors, lawyers, architects and odontologists. However, she also emphasized that the political crisis had placed many women in leadership positions in important political parties and that, at the local level, poverty and political violence had given women a leadership role, where they had acquired negotiating and managerial skills.

419. The representative was asked for information on the participation on women in the current Parliament as compared to 1991. The representative informed the Committee that, in 1992, the proportion of women in the Congress was slightly higher than in the past, i.e., currently 8 per cent.

Article 11

420. According to the report, 81 per cent of all women are unemployed or underemployed. Problems relating to women's employment were particularly

important because 23 per cent of all Peruvian households were headed by women. This was also significant in view of the fact that women have access to various vocational education and training programmes. In addressing the reasons for the unemployment rates of women, the representative emphasized that the heavy burden of family responsibilities was still impeding women's employment. She informed the Committee that child-care alternatives had been introduced by civil society and that the Government was working in cooperation with the United Nations Children's Fund (UNICEF) to set up child-care centres and to open up job opportunities for women.

421. The representative informed the Committee that law No. 24705 of 1987, which qualified home-makers as independent workers and, in consequence, allowed them to have access to health services and pension schemes guaranteed by social security, was being implemented.

422. In reply to a question concerning the proportion of women who could obtain access to social security protection, the representative said that article 12 of the Constitution established that the Government guarantees social security to all. Working women, whether employed, or self-employed independent workers, have access to social security, as do those who are 55 years old and have contributed to the social security system for at least five years.

423. Asked about the sectors in which women and men were typically employed, the representative said that, in 1991, 67 per cent of economically active women were engaged in tertiary activities. That represented a 10 per cent increase compared with 1981.

Article 12

424. Since family planning information and advisory services are provided by private agencies and financed by international organizations, members wanted information on the percentage of the population involved in family planning, on the profile of the population served by family planning and on the initiatives the Government was taking in this context. In reply to the Committee's concerns, the representative informed it that knowledge about family planning methods among married women is widespread. Fifty-nine per cent of women of fertile age (15 to 44 years) had employed some form of contraception: 56 per cent of them used modern methods and 44 per cent preferred traditional methods. The natural rhythm method seemed to be on the rise. She indicated that the choice of method was directly linked to location (urban or rural) and to the level of education, with women living in urban areas and with a high level of education tending to choose modern methods. In so far as public action in this context was concerned, the representative informed the Committee that the National Fund for Compensation and Social Development, one of the main programmes directed to the elimination of poverty, had directed 7 per cent of its budget to the health sector, mostly for the improvement and expansion of health centres. Although the current coverage of the health infrastructure per capita was inadequate, she noted that it had doubled since the last decade. Public institutions in charge of family planning were the National Council of Population, the Ministry of Health and the Peruvian Institute for Social Security.

425. In reply to questions regarding the legislation relating to abortion and its practice, the representative informed the Committee that the Penal Code of 1991, which replaced that of 1924, provided for imprisonment up to two years in practice, however service for illegal abortion was implemented. She stated that the Peruvian Government considered abortion to be a serious public health issue

and the principal cause of mortal maternity, especially among poor women. She added that the law provided only for therapeutic abortion, which was available only when the mother's health or life was in danger. Doctors had to face a more severe punishment depending on whether the woman had consented and whether the abortion had led to her injury or death.

426. Members requested information on the country's population policy, as well as more statistical data on the health situation. They also asked whether data were available on the prevalence of contraception. The representative quoted statistics which showed that in 1993, the maternal mortality rate was 261 per 100,000, a decrease since 1981, when the rate had been 321. She informed the Committee that maternal mortality rates among women without formal education were higher than the national average and higher than the rate 10 years previously. The main factors identified as causes were abortion and inadequate sanitation. Estimates of rates of infant and child mortality were an average of 64 and 92, respectively, per thousand for the period 1981-1991. The representative informed the Committee that in Peru only half of childbirths were attended by professionals. However, in rural areas only 18 per cent of births were attended. She pointed out that the number of persons affected by human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS) was increasing and that the registered number in 1992-1993 was higher than the total registered from 1983 to 1991. She said that there was a growing proportion of women and children among the affected. She emphasized that, despite the growing incidence of HIV/AIDS, insufficient attention had been paid to the disease and the response of the judicial-legal system to it was inadequate. She informed the Committee that when the disease had been first discovered, there was only one woman victim for each 20 affected men; today, the proportion was one woman for each four men. She stated that this increase reflects women's social, biological and epidemiological vulnerability.

Article 14

427. Most rural women in Peru were said to be occupied in the most traditional forms of farming, in which they undertook the most menial tasks. In reply to a question about whether any measures were planned to improve that situation, the representative said that rural women had a leading role in their communities because during the past decade many men had died or migrated. She confirmed that most women were not involved in income-generating activities. She indicated that the Government was implementing a project which recognized women's rights to have access to the land which they directly worked and thus access to wealth. Another project, designed to allow the transfer of technology to rural areas, included the participation of women as extension agents. She said that a network, led by the Food and Agriculture Organization of the United Nations (FAO) and made up of several institutions from the public and private sectors, had been created for the support of rural women.

428. Members expressed concern at the fact that, in the absence of decentralization called for under the national regionalization plan, women were denied any involvement in decision-making. The representative recalled that violence and economic crises had induced rural women to assume various public duties. She emphasized that, during the previous decade, the role of women and the perception society had of them, as well as the expectations of women themselves, had changed. Nevertheless, she noted that, although women were increasingly integrated and accepted in the public sphere, women's equality within the private sphere remained a problem.

429. In reply to a question about concrete steps the Government had taken to raise the living standards of indigenous women, the representative said that the Government had primarily directed its efforts to supporting the basic needs of rural women. At the present time, the Ministry of Agriculture was developing programmes for women's access to resources. It was also coordinating the network of international and national organizations for the support of rural women, through their organization and the management of credit.

Article 16

430. Members of the Committee requested more detailed information on the Family Code, divorce and differential views on adultery by men and women. The representative informed the Committee that the Peruvian Civil Code included a chapter on divorce which did not discriminate between women and men. Replying to questions relating to the provision of alimony after divorce, the representative said that alimony was awarded, without distinction between women and men, to the partner who had fewer economic resources and this obligation ceased automatically if the person receiving alimony remarried.

431. Replying to the Committee's request that it be provided with statistics on divorce and child custody (maternal/paternal/other), the representative said that the Government was in the process of developing statistics on the subject and identifying the main variables for their study.

Concluding comments of the Committee

Introduction

432. The Committee commended the Government of Peru for ratifying the Convention without reservations. The report did not follow the general guidelines and lacked important details such as comparative statistics over time. Information requested by the Committee when the initial report was submitted were not provided in the second periodic report. One such information was the involvement of women's organizations in the preparation of the report.

Positive aspects

433. The Committee noted that the Convention was an integral part of the Peruvian domestic legislation and in the event of any conflict, the Convention prevailed.

434. The Committee noted that although the Special Commission on Women's Rights was terminated in 1990, a Permanent Commission on Women and Children's Rights had been established in 1994 to coordinate activities relating to women's rights.

435. The Committee noted the passage of a Domestic Violence Law, which had been supported by many women's groups. It would complement the work of Police Stations (Comisarias de Policia) in dealing with cases related to violence against women. Likewise, a law prohibiting discrimination against pregnant women had been passed.

436. The Committee noted the increase in women judges in Peru.

Principal subjects of concern

437. The Committee asserted that peace and development were essential for promoting women's rights and should be pursued, even as the Government was trying to extricate itself from political crisis. Concern was raised about the effects of recent political developments in Peru on women, particularly in the exercise of their civil liberties.

438. The Committee raised concern about reports of rape, gang rape and custodial rape which had been documented by human rights organizations, especially those occurring in the "emergency zones" and affecting indigenous and peasant women.

439. Special concern was expressed by the Committee to the plight of displaced/refugee women and children in resettlement areas.

440. High unemployment rates among women was another matter of concern of the Committee. It had forced women to seek employment in the informal sector without access to credit, social benefits and other supportive infrastructure.

441. The Committee was alarmed to note that women were resorting to small-scale drug trafficking as a means of survival.

442. Whereas women had been entering universities in increasing numbers, illiteracy among women still remained high.

443. The health status of women and children in Peru was of great concern to the Committee, particularly as regards high maternal mortality rates resulting from clandestine abortions.

Suggestions and recommendations

444. The Committee calls upon the Government to ensure the provision of social services as education, employment and health as this greatly affects women.

445. The Committee strongly recommends the strengthening of the National Council for Human Rights in its investigation of human rights abuses against women detainees and civilians and calls for more updated and gender-disaggregated information on the Nationwide Register of Detainees as well as cases of enforced disappearances.

446. The Committee urges the Government to look into the causes of high maternal mortality rates arising from clandestine abortions and to review the law on abortion, taking into consideration the health needs of women and to consider suspending the penalty of imprisonment for women who have undergone illegal abortion procedures.

447. The Committee suggests further that the Government seek the cooperation of medical associations and of judges and lawyers to consider more expansive use of the therapeutic exception to the criminal prohibition of abortion, in cases of danger to the mother's health.

448. The Committee calls for more effective measures to hasten the reintegration of displaced and refugee women into society.

449. The Committee encourages the Government of Peru to take measures that the strengthening of the family leads simultaneously to a strengthening of

individual rights of women and to an equal distribution of responsibilities between women and men.

450. The Committee recommends that the organ which was created to coordinate the activities regarding women's rights be politically and administratively strengthened in order to coordinate public policies aimed at improving the situation and position of women.

451. The Committee asks that the subsequent report be written in conformity with the reporting guidelines and contain comparative statistics.

4. Third and fourth periodic reports

Norway

452. The Committee considered the third and fourth periodic reports of Norway (CEDAW/C/NOR/3 and CEDAW/C/NOR/4) at its 277th meeting, on 30 January (see CEDAW/C/SR.277).

453. In introducing the report, the representative pointed out that the priorities set out in the White Paper to the Parliament (Storting) in the spring of 1993 included an active child-care policy with a focus on shared family responsibilities between the parents, renewed efforts to reach the goal of equal pay, and more effective actions against the abuse of women and sexual violence. She noted that efforts to change the rules and tasks of men and to see the gender question as one of Norwegian human resource development, was one of the top priorities of the Government. She also focused on the instruments used in the gender equality policy, including the proposed revision of the Norwegian Gender Equality Act of 1978 and the discussion of equality as a concern for both local and regional authorities.

General comments

454. Members of the Committee commended the detailed and thorough written and oral reports. They praised the Government of Norway for the conceptualization and implementation of its gender policies, thereby serving as a role model for many countries, and they welcomed the fact that the Convention had been ratified early without reservations.

455. Members applauded the fact that in preparing the third periodic report the Government had carried out consultations with non-governmental organizations and transmitted the report to major women's organizations in the country for comments. Members noted that the general view of the NGOs was that the Government had represented the situation of women extremely well, but that they felt that there were still problems in legal areas and in the participation of women in public and private life.

456. Members of the Committee wanted to know whether the meaning of the concept of equality in Norway refers to the recognition of equality in the Constitution as meaning equality between the sexes and an equal division of work, paid or not, and an equal availability of resources. The representative explained that the Norwegian Constitution is gender-neutral in its formulation. It contains no explicit provision of gender equality or prohibition against gender discrimination. The Government is currently considering whether to include various human rights conventions, such as the Convention on the Elimination of All Forms of Discrimination against Women. In 1995, the Government will present a white paper on this subject. Equality between the sexes is regulated by the Gender Equality Act (1978), article 1 of which states: "This Act shall promote gender equality and aims particularly at improving the position of women. Norwegian women must, nevertheless, today be considered to have achieved de jure equal status with men". The representative noted that the gender perspective was currently mainstreamed in all areas of the Government, and all Ministries had established a focal point for gender issues. They had the obligation to make gender issues visible, to include them in policy formulation at the earliest stage possible and in all routines, to follow up and evaluate implementation and to influence recruitment policies; they planned to create gender balance and thereby improve substantive results.

457. Members wanted to know how the economic changes in the country which aimed at a revised distribution of social investments had affected programmes for women. The representative replied that the budgetary situation has been strained since the late 1980s. However, important reforms had been implemented in the same period, including improved and flexible solutions targeted at harmonizing work and family responsibilities. The welfare system is at present under revision. The aim is to achieve a more cost-effective system and to be better able to target services and benefits. Furthermore, the representative said that there has been an increased awareness of gender roles both among politicians and in the administration, which has served to counteract any possible negative impact on women.

458. Members requested more statistics and wanted additional information regarding articles 6, 13, 18 and 19 of the Convention.

Questions relating to specific articles

Article 2

459. There is some concern that the Equal Status Act is being interpreted in some quarters to mean equal access by men to occupations where they seem to be underrepresented, such as health and welfare occupations. Members wanted to know if, at the same time, there are plans to increase the number of women in areas dominated by men. The representative told members that the Gender Equality Act permits different treatment of the sexes when that promotes gender equality. So far, different treatment with respect to women has only been permitted in favour of women. The Act is at present under revision, and the Government has proposed modest forms of positive action in favour of men related to jobs in child care and the teaching of young children, in day-care centres, primary school and child welfare institutions. This will not alter the fact that the main purpose of the Gender Equality Act has been to promote the situation of women, and this will remain the case in the future too. The Norwegian statement also referred to the Nordic project "BRYT", a programme designed to break down the sex-differentiated labour market, as described in the third periodic report (see CEDAW/C/NOR/3, para. 137).

Article 3

460. The report stated that the Norwegian Equal Status Act covers all fields including education, employment and politics. However, as the Act does not cover family and personal affairs in reality, there is a high possibility that some critical areas of concern of women are left unaddressed by this legislation. The Committee was especially concerned with provisions in the Norwegian legislation to exempt certain religious communities from compliance with the equal rights law. Since women often face greater discrimination in family and personal affairs in certain communities and in religion, they asked the Norwegian Government to amend the Norwegian Equal Status Act to eliminate exceptions based on religion. The representative replied that the Norwegian Gender Equality Act stated that "The Act relates to discrimination between women and men in all areas, with the exception of internal conditions in religious communities". The reason for this exception is article 2 of the Constitution, which establishes the right of all persons, including both those from dissenting communities and the Church of Norway, to the free practice of religion. "Internal condition" may be what the religious communities themselves reasonably consider to be theological questions. The appointment of clergymen, preachers and chaplains has been exempted from the reach of the Act. However, the appointment of staff whose tasks have not been connected with religious

practice, for example, caretakers or welfare officers at the church family guidance officers, has not been exempted from the Act. The family is not regarded as a religious community and therefore the Act also applied to family life and served as a guideline for family life.

461. Concerning the fact that immigrant women constitute a sizeable percentage of those abused in Norway, members asked what special programmes are in place to assist them. The representative answered that the disproportionately large numbers of immigrant women who are reported as seeking refuge at the crisis centre have been a phenomenon limited to the capital. Moreover, a joint Nordic survey concerning immigrant women and the crisis centres has included suggestions for improvement of the centres. Special programmes have not been applied and the policy concerning immigrants has focused more on integration in existing services and mainstream programmes. In Oslo there is, however, a resource centre for immigrant and refugee women (MIRA). This Resource Centre assists immigrant and refugee women, including women victims of family abuse, and constitutes a useful link between Norwegian authorities and immigrant women. It does not represent an alternative to mainstream crisis centres, but has, rather, served a supplementary function.

462. Members wanted to know what measures were being undertaken to preserve the welfare programme especially aimed at women within the general framework reviewing the welfare system. The representative stated that, at present, the National Insurance Scheme and other welfare programmes have been scrutinized in order to provide a basis for the Government's view on the need for changes which will be presented during the spring of 1995. It would be a misinterpretation if this was construed as "cut-backs under way". The general background to this activity included the need for a more efficient resource allocation, which may lead to cut-backs in areas where present spending is found to be unjustified or even unreasonable compared with spending in other areas. The motivation for the scrutiny has been to avoid the welfare state turning into a rigid structure unable to adapt to the needs of a society undergoing rapid changes. Special attention will be given to female-headed households to further the reintegration of these women into the labour market. One of the main objectives of the Norwegian policy will continue to be to promote equality between men and women even in the welfare field and to adapt welfare programmes accordingly.

Article 4

463. Members wanted to know to what extent affirmative action measures are actually being applied. In what sectors are the major obstacles to be found? In what sectors has the presence of women increased and what benefits have flowed from this? The representative addressed affirmative action as preferential treatment and special quota arrangements. The Gender Equality Act includes a provision requiring at least 40 per cent representation of each sex in all official committees, boards, councils, and so forth. Although this provision is not binding for political parties in the course of the 1980s, most political parties have adopted gender quotas on a voluntary basis and have been successful in promoting women's political participation. In the fields of employment and education, affirmative action has been permitted, but not prescribed. Moderate forms of preferential treatment have been in effect in the public sector since the first half of the 1980s, so that women candidates are to be preferred in sectors where women are numerically underrepresented, when qualifications are identical or roughly equal. A recent research project found that a quota system has not been applied to any great extent in employment and education. Rather, advertisements for vacant posts with statements like "women are encouraged to apply" have been proved to be effective. There are, however,

some obstacles in this area. Preferential treatment has not been sufficiently integrated into collective agreements and regulations in the public sector. Also, there has been a general lack of such agreements and actions in the private sector. This must be seen in the light of the parties' reluctance to accept any interference with their freedom of choice, and the fact that use of quotas has been controversial. Moreover, women's employment has increased primarily in the public, social and private service sectors. Two out of three employees in these sectors are women and more than 50 per cent of all working women are in the public sector. Furthermore, the structural changes in the labour market in the 1980s have been favourable for women-dominated occupations and for women's employment. Increased unemployment affected women less, because of the sex-segregated market.

464. Noting that the Ombudsman has called for a more effective affirmative action policy, the members wished to know whether such affirmative action legislation has been adopted so far. The representative replied that the third periodic report, which noted the Ombudsman's request for a more effective affirmative action policy, explained that the view of the Gender Equality Ombudsman was that existing affirmative action measures should either be strengthened to gain proper effect, or abolished altogether, as in her opinion the existing arrangements served to give the public unrealistic notions of women's opportunities in the labour market. She was particularly worried that the proposed amendment to the Gender Equality Act, which would allow affirmative action for men, might change the present balance in favour of men. The effects of affirmative action measures are being evaluated at present. The proposed amendment to the Gender Equality Act was presented in the fourth periodic report. The intention behind the proposal to allow positive action in favour of men in a limited number of occupations in the caring sector is to activate men's caring potential, which would serve to counteract the strict sex-segregation in the labour market and also provide children with less stereotyped conceptions of gender roles. Another concern expressed by the Gender Equality Ombudsman has been with respect to the enforcement of the quota arrangement in collective agreements, since the social parties are reluctant to accept any interference. In order to strengthen the obligation to put in place active measures for equal status in all parts of the labour market, the Ministry wishes to go further. Legalization of the Plan of Action is now under consideration. This would mean that employers, in cooperation with the employees' organizations, would have to act and fulfil the obligations according to agreements involving preferential treatment.

465. A member wanted more information regarding mainstream policies and their various procedures. Are these policies included in the law or are they just a consensus by the Cabinet? The representative replied that, at present, the mainstreaming policies are only a consensus of the Government. However, extensive efforts were made to integrate them into the routine procedure of the Government.

Article 6

466. Despite all the steps taken to assist and support victims of sexual abuse (incest, rape, etc.), violence against women does not seem to have been reduced. The members wanted to know if any study has been carried out on the causes of this phenomenon so as to find out which aspects of the society are responsible for these crimes. The representative stated that several studies have been carried out in order to understand the causes of violence and which aspects of society may be responsible for such crimes. The findings on these studies, however, differ depending on their theoretical framework. Most studies have

been based on psychoanalytic theory, system theory or feminist theory. Studies within a psychoanalytic framework see violence as a consequence of the individual history. In system theory, the generation perspective is important, explaining violence as an issue of revictimization. Many victims repeat the abuse that they themselves experienced as children. The feminist perspective focuses on the power relation between men and women. It is well known that most abusers are men while the victims may be boys, girls or adult women. Empirical evidence suggests that gender power and family pattern have been central in understanding the prevalence of sexual violence in society.

467. Norway deserves to be commended for attempting to look at the other side of prostitution - namely, its male consumers. A study on prostitution has provided an analysis of prostitution as a problem which is not simply a problem of women but of male sexual needs and desire to "control sexual relations". As a result of the instructive insights of the study of prostitution referred to in the report, the members wanted to know if the Government had introduced measures to sensitize the population in general, and men in particular, on this issue. The representative explained that the national authorities had recently given the National Centre on Prostitution a responsibility to develop strategies that might prevent prostitution, inter alia, on the basis of research findings. The centre was opened on 1 January 1994. Further information will be provided in the next report.

468. As to rehabilitation efforts to assist prostitutes through information campaigns and seminars for police, health and social officials, and so forth, members wanted to know what the result had been of these seminars and if this is a continuing programme. They requested a definition of "rehabilitation" and the programmes under it. The representative said that the national programme for regional seminars on prostitution had concluded, and the responsibility for up-grading knowledge concerning prostitution at present lay with the National Centre on Prostitution. Two regional seminars were held under the national programme and were considered to be useful by the participants, who were drawn from different institutions within welfare and services. Furthermore, "rehabilitation" refers to assistance aimed at the prevention of prostitution. This may include general information, guidance, economic assistance, paid vocational training, psychological help, participation in self-help groups and other individual support, development of "career plans", and so on.

469. As to the increasing incidence of child abuse, the Committee noted the establishment of centres for incest victims. The members wanted to know if preventive and rehabilitative measures also are directed to the abusers. Is there legislation dealing with this issue? The representative stated that the fourth periodic report described two measures directed to abusers. The Ministry of Social Affairs has provided funds for three treatment projects for persons convicted of sexual crime. A reference group will evaluate the projects and present proposals for treatment of sexual criminals. One major issue of the research programme (1992-1996) on sexual violence was the role of men as abusers and the preventive measures related to abusers.

470. The members wanted to know what the situation is concerning the sex business in Norway. What is the Government's policy here? The representative explained that in Norway, sex business has been considered to be comparatively limited. In recent years, a tendency towards more hard core pornography has been observed. It is also assumed that prostitution may be increasing because of the internationalization of the sex trade. Sex trade in various forms has been regarded as a serious matter by the Government. In this respect, combating child pornography and focusing on the persons that profit from prostitution have

been among the concerns of the Government. The major approach has been to sharpen the provisions in the Penal Code relating to pornography and pimping. In relation to prostitutes, the authorities have initiated and supported several projects aimed at both preventing prostitution and motivating prostitutes to leave prostitution. Detailed information was presented in the fourth periodic report.

Article 7

471. As to the quota of 40 per cent representation of each sex on all publicly appointed boards, councils and committees, which is as beneficial to women as to men, members wanted to know what the public reaction to this has been. What is being done to ensure that women can benefit more from this policy? The representative stated that today there seems to be a general agreement that men and women should be equally represented in boards, committees, etc. appointed by public bodies. As early as 1981, when the Government first introduced the amendment to the Gender Equality Act, the majority of women's organizations, unions and political parties expressed their support. In boards and committees appointed by governmental bodies, the average percentage of women is at present close to 40 per cent, while women on boards and committees appointed by local government is 36.4 per cent. Owing to quota provisions in the new Local Government Act, women's representation may increase after the next local government election. Women, however, are still underrepresented on boards and committees in a number of traditionally male-dominated fields, for example, defence, foreign affairs and trade. The representative also stated that stricter enforcement of the quota provisions must be accomplished in these sectors.

472. The Committee would have liked to see a fuller discussion of women and power, particularly since increasing women's power and influence is a crucial part of the equal status policy. Though women's participation in public life has increased substantially in Norway, in some other important spheres women are still a small minority - especially in the areas of trade, industry and the media. With regard to political participation, the Committee wanted to know whether women today really have more power in Norwegian politics than in earlier times. The representative replied that there has been great concern regarding women's poor representation in managerial levels in the private sector. In the one hundred largest enterprises women are not represented among executive directors. On boards 10 per cent are women. One reason for this may be that women seem to prefer the public sector rather than the private sector. Furthermore, today women account for 52 and 55 per cent of the total number of students enroling at universities and colleges. In the traditional male-dominated fields such as law, economics and engineering, the percentage of women candidates is 53 per cent, 30 per cent and 38 per cent, respectively. Also, trade unions and employers' organizations devote increased attention to the absence of women in high positions in private enterprises. Some enterprises have introduced women's training programmes. Moreover, access to the media usually implies power. In recent decades, the proportion of women among journalists has increased. In 1992, the proportion of women among journalists was 33 per cent. Among media students, the percentage has been 58 per cent. Women's participation in politics has made women and women's interests more visible in the media. Also, the media have contributed to the degree of equality enjoyed by Norwegian women today.

473. The members wanted to know what substantive change has been brought about by the increase of women in the public sector and politics, and primarily in which sector the change has been most significant. The representative stated

that a high number of women in governance has made a difference. In Norway, the most prominent result has been the progress achieved in politics regarding family responsibilities. In the last few years, a rapid expansion of government-subsidized child-care institutions has been noted. Since 1986, parental leave has been expanded from 18 to 42 weeks with full wage compensation or one full year with 80 per cent wage compensation. The costs have been provided by social insurance and not by the employer. The time account scheme and the father's quota have been other important reforms in this area, which have been implemented in periods otherwise characterized by economic recession. The Government of Norway believes that this would not have happened without the high representation of women in politics.

Article 10

474. The members wanted to know if there are any special educational benefits for women - especially disadvantaged women and single parents. The representative explained that single mothers are, on the whole, better educated than married women. There is, however, a limited number of very young single women with few formal qualifications. Single mothers with children up to the age of 10 are entitled to benefits regardless of whether they have been undergoing education. Furthermore, single parents have been entitled to benefits under the National Insurance Scheme to cover various costs in connection with education, where education has been considered necessary to qualify the single parent for the labour market. The average educational benefit granted is about NKr 10,000 per year and covers the purchase of necessary books, and so forth. Students have also been entitled to favourable State loans during periods of education, and single parent students may add substantially to their income from other benefits under the welfare state.

475. Members wanted to know how the Government is supporting women's studies. The representative stated that women's studies have been established and have acquired a considerable reputation in Norway. Since the 1980s, the Government has assumed the responsibility for increasing the number of women researchers in all fields, supporting women's studies and introducing them in educational institutions and elsewhere. As referred to in the fourth periodic report, progress has been made in institutionalizing women's studies. Obstacles remain, however, in the field of integrating women's studies in university and college curricula, and in making the results useful in the education of children and youth. Currently, special attention is given to teacher education. The project Nord-LILIA, mentioned in the fourth periodic report, aims to strengthen the gender perspective in the method and content of teacher training. The Government has been instructing the National Research Council to evaluate how women's studies are approached in the universities.

Article 11

476. As to the increased participation of women in non-traditional fields, members wanted to know if that had been sufficiently institutionalized in different industrial sectors. The representative answered that the third periodic report mentioned projects which aim to increase the participation of women in non-traditional fields. The "BRYT" policy had, however, not changed the gender roles in the fields of education and occupation. Furthermore, structural changes and increasing unemployment in many male-dominated sectors had contributed to restructuring. Moreover, measures to encourage women to choose traditionally male-dominated occupations had been actively supported by the Government.

477. Although Norway's population is highly industrialized and educated with extensive social security coverage, the occupational and wage differentials still remain significant. Members wanted to know what was being done to reduce these inequalities. What are the obstacles and reasons that impede equal treatment and equal salary for women? The representative stated that Norway had come a long way towards the goal of equality between women and men, but pay equity was still a matter of great concern. Equal pay is not to be taken as a matter of course because of the high level of education and workforce participation. Norway experienced a negative trend in the 1980s and faced the fact that progress is not continuous. It is apparently easy to reach agreement on the goal of equal pay, but the choice of means is far more controversial. The fact that the labour market is gender-segregated with women in the lowest positions requires measures on the macroeconomic level. The Government is working for an integration of the topic into the labour market policy and the wage setting in general. The Norwegian Government has made efforts to address the gender issue and the wage gap in the unions, in employer organizations and the bargaining system. Furthermore, statistics and facts about the wage gap are at present integrated in the document that forms the basis for collective bargaining. The present policies seek to improve the working conditions and payment in the traditional female-dominated sectors. A tool for this can be job classification systems. The Government is now developing non-discriminatory programmes for job evaluation. The aim is to develop job evaluation for use in all parts of the labour market. The unions have shown great interest in these measures and will take part in these programmes.

478. However, the representative stated that the Government is of the opinion that legislation plays a limited role in eliminating the wage gap. Legislation is aimed, primarily, at securing individual rights. However, improvements are continuously being made in order to make it more effective. The Government and the Gender Equality Ombudsman are taking joint action to inform the public more thoroughly about women's rights under the Act. The aim is to encourage women to make use of these rights in all sectors, including in working life. Furthermore, the Government plans to introduce provisions on action plans for gender equality, which will apply to employers who engage a certain minimum of persons. The employers will be expected to conduct an annual survey which shows the situation with respect to gender equality and to make concrete plans for promotion of gender equality for the next year. Another project is to establish a "check-list" on equal pay. This list is supposed to be a practical tool for organs working for the achievement of equal pay, such as gender equality machinery, social partners and employees.

479. Members wanted to know why there has been a significant rise of women in the political hierarchy, while, at the same time, discrimination persists in the area of employment, especially as regards the type of work, conditions, hours and wage gap. What is the situation in private sector companies? The representative replied that the answer to this question had already been covered in other replies.

480. The report gives the impression that women have a choice between a long working day or a shorter one with a lower pay scale. It would seem that work is not equitably distributed between men and women. On the other hand, it seems that supplementary pensions are calculated on the basis of "points", a system that favours those who have performed regular, uninterrupted service. The revised system for calculating supplementary pensions has not eliminated the gap between the pensions of men and women. Members wanted to know if there were plans to draft a law to do away with this gap. The representative stated that the Norwegian pension system is a two-tier system: a basic pension for all

citizens regardless of their source of income before being pensioned, and a supplementary pension on the basis of earned "pension points", calculated each year in accordance with income and paid for through taxes. The system as a whole posits a comparatively strong redistribution of income: the better off get a smaller percentage of their income during their working years than the rest of the society. The better off, however, still get a higher pension. In this kind of system, the gap between men and women will reflect the gaps in participation in working life. The main factors behind the difference in male and female average points are due to the fact that typical "female" jobs are generally less well paid than typical "male" jobs. At present, there are no plans to change this system. The reason for this is that a uniform and compulsory pension system for all, paid for through taxation, is an essential part of a good welfare state and allows a much better basis for equality in standards of living for the older population than other systems.

481. Members wanted to know if there is a statute for immigrants. The report emphasizes that immigration to Oslo is abnormally high. Do all immigrants come with their families? Under the circumstances, how are female immigrants integrated into Norwegian society? Do the families of immigrants have the right to work? What sort of work do they do? The representative stated that approximately 30 per cent of all immigrants in Norway live in the capital. Immigrants constitute 14.7 per cent of the population in Oslo. Immigration policy is based on genuine equality in the status of immigrants and Norwegians. Immigrants should be granted the same opportunities, rights and obligations as the rest of the population. In the last decade, immigration has been dominated by persons seeking asylum and by family reunions, including both foreign wives of Norwegian men and wives and children of immigrant men who are established in Norway. Family members of immigrants with a lawful residence permit are generally entitled to work. Immigrants are found in several branches of industry, such as within oil and gas extraction, and in public services. Immigrants from developing countries are clearly overrepresented in certain sectors such as the hotel and restaurant sectors, cleaning, and certain manufacturing industries. Immigrants, both men and women, experience unemployment more frequently than the rest of the population. It is also a general concern that the qualifications of immigrants are not fully utilized. Insufficient command of the Norwegian language and various types of discrimination are among negative factors. Programmes to facilitate integration into Norwegian society, such as education in language and vocational training in segregated women's groups, have been offered. Some of these programmes also include psychotherapy. Furthermore, there are special training and education schemes for immigrants in the employment service.

482. Members wanted to know what compensation a woman can get when she has been discriminated against in the workplace. The representative replied that according to the Gender Equality Act, a person who wilfully or negligently violates the provisions of the Act should be liable for damages in accordance with the rules on ordinary compensation. A woman who has experienced discriminatory treatment, that is, in relation to pay, recruitment or promotions, can sue her employer for compensation for economic loss caused by that treatment. The courts also have the power to overrule discriminatory appointments. Normally, courts hesitate to use this power where an appointment has already been made.

Article 16

483. The report noted the increasing violence committed by spouses. The Committee commended the legal measures taken by the Norwegian Government in this

regard, in particular the amendment of section 228 of the Penal Code which allows the prosecution to prosecute unconditionally cases of violence in families. Asked whether there were any statistics available on this, the representative explained that there are no statistics available on the effect of this amendment. There is reason to believe, however, that the number of prosecutions against violent spouses has increased. Statistics from the early 1980s have showed that almost half of the women who reported violence committed by spouses either did not request prosecution or later withdrew their request.

484. The Committee wanted to know if fathers take responsibility for their children. How often do they use their right to paternity leave? Are there investigations and records kept of complaints by fathers that they do not have access to their children? The representative stated that surveys have indicated that young fathers spend more time with their children today than such fathers did 20 years ago. On the other hand, fathers of young children spend increasingly more time in paid work as well as in overtime. Since April 1993, four weeks of the parental leave has been reserved for the father, which are lost to the family if not taken by the father. There has also been a significant increase in the payment of parental benefits to fathers. No record of complaints by fathers has been kept. Statistics concerning family law, especially those regarding lawsuits concerned with custody and right of access, are very poor. There is no information regarding the number of fathers who have been prevented from access by the other parent.

Concluding comments of the Committee

Introduction

485. The Committee applauded the State party on an excellent presentation. Norway was among the first States parties to ratify the Convention, and in fact had submitted four reports to the Committee in due time.

Positive aspects

486. The Committee applauded the Government of Norway for directing attention to the necessary changes in men's roles and tasks as an important element in achieving true gender equality, including men's encouragement to use their right to paternity leave and to increase their involvement as caretakers in the labour market.

487. The Committee commended the achievements in the areas of public life, education, and labour market participation. Several of the six major political parties had female leaders and, because of the quota system, women constituted almost 40 per cent of all committees. Girls' education had improved and it seemed to continue to rise. The Committee noted that almost 50 per cent of the total numbers of pupils in upper secondary school were women.

488. The Committee commends the continuing amendment to, and enhancement of the Equal status Act to strengthen the role of the equality apparatus.

489. The Committee also welcomed the Government's holistic approach towards solving the issues connected with prostitution.

Principal subjects of concern

490. The Committee expressed concern about the absence of women from higher level management posts in the private sector.

491. The Committee was also concerned about the patterns of occupational segregation in the labour market and disparities in wages between men and women. The Committee expressed its concern about the high number of women working part-time, as well as about the pay differentials which were reflected also in the pensions.

492. The Committee voiced concern over patterns of violence against women, including incest.

Suggestions and recommendations

493. The Committee suggests that the fifth periodic report include information on the results of the general review of the welfare programmes, including the scrutinization of the National Insurance Scheme; it should also provide information on how and to what extent the changes resulting from the review have affected women.

494. The Committee encourages the Government to take serious steps to address the problem of violence against women. It further suggests that attention be paid to the issue of violence against migrant women and trafficking in women.

495. The Committee suggests that the next report include more statistical data on the women living in Norway. The Committee would also like to have more information concerning general recommendations, in particular on general recommendations 13, 18 and 19.

Russian Federation

496. The Committee considered the third and fourth periodic reports of the Russian Federation (CEDAW/C/USR/3 and 4) at its 274th meeting, on 26 January 1995.

497. Introducing the fourth periodic report, the representative of the State Party outlined the current economic, political and social situation in the Russian Federation and stressed that the position of women should be viewed within the context of the problems generally encountered in those areas. She stressed the depth and permanent nature of the current reforms in the Russian Federation and their international implications. She also pointed to the high economic and social costs of restructuring and to a whole new set of issues that the Russian Federation has had to deal with in the context of that process. Among the most acute issues were the continuing economic deterioration, the decline in real incomes, the spread of poverty, unemployment, massive migration and a sharp worsening of living standards for what appeared to be the majority of the population. Those problems were further complicated by serious ecological problems and the deterioration of the physical and social infrastructure caused by the sharp decline in capital investment.

498. Poverty had become a widespread and self-perpetuating condition for many strata of the population. There was a real danger of inter-generational transfer of poverty, since many children in poor families, particularly in single-parent households, were faced with a limited opportunity to develop as they lacked books, toys and other aids to intellectual and spiritual growth. Poverty in Russia was becoming increasingly feminized and women comprised 70 per cent of the country's unemployed. The high rate of unemployment among Russian women was primarily due to the rapid restructuring and privatization of industries employing a large proportion of female labour. The majority of

unemployed women were highly educated, but the duration of their unemployment was twice as long as that of men. Social tensions, intensified by reform, had led to a resurgence of stereotyping of the role of women and to calls for their return to their "natural functions". Although national machinery for the advancement of women had been established and its functioning had protected women from some of the adverse consequences of reform, it had not as yet been able fully to articulate women's interests so as to affect the course of reform. Women remained debarred from economic and political decision-making.

499. The representative informed the members of the Committee that the Government of the Russian Federation, having realized that the monetarist underpinning of the first wave of economic reform provided only a limited set of social protection measures, had emphasized the provision of a proper level of social protection as the main requirement for the continuation of economic reform. She assured members of the Committee that, in spite of the current economic and political crisis in the Russian Federation and the sharp reduction in the capacity of the State to achieve the goals set by the Convention, the Government remained dedicated to the goals of women's advancement and the elimination of discrimination against them and would continue to take measures directed at alleviating the negative impact of transformation on women and improving their economic and social position.

General observations

500. Members thanked the Government for its report and noted its comprehensive and frank nature. They noted, however, that the fourth periodic report had a number of major weaknesses, among which the following should be mentioned. Firstly, there were few references to specific policies, programmes and activities being undertaken by the Government in connection with the provisions of the Convention. In addition, the limited number of statistics provided did not make it possible to grasp the real dimensions of the situation. Thus, the report was largely theoretical and, to some extent, incomplete in nature. It was rather difficult to assess how the status of women had evolved and what initiatives had been undertaken by the Government since the restructuring of the country had begun.

501. Members expressed concern that the special temporary measures adopted did not cover issues like increasing women's influence in policy or the market economy, their possibilities in higher positions, pay differences and other forms of discrimination in working life and the health situation of women. It seemed to be a fact that poverty in the Russian Federation was a female phenomenon.

502. Members noted with concern that with the end of communism and the introduction of the new system, changes had taken place in the political and economic spheres. While the restructuring process had entailed a series of progressive developments in society as a whole, women were encountering greater disadvantages as a result of the increase in their workload, inadequate child-care services and shrinking job opportunities; social changes were leading to a stratification that went beyond the social plane and was also directly apparent between the sexes. Yet the report said little about the economic crisis and the impact of stabilization and adjustment policies on women. A more detailed explanation should have been given of the way in which the burden of inflation had fallen on women's shoulders and increased their workload, given that the adjustment programmes had caused prices to rise and wages to be frozen, presumably forcing women to forgo certain common services that were formerly available to them.

Questions relating to specific articles

Article 3

503. Responding to a question on national machinery for the coordination of policies dealing with women and on its responsibilities, status and authority, the representative, referring to the fourth periodic report, informed members of the Committee that such machinery, with mandates for women, the family and children, had been established within federal, regional and local governments and that it cooperated with public organizations. A Commission for Women, the Family and Demography had been established in the office of the President of the Russian Federation. The Commission was a collective advisory body for the formulation and coordination of government policy for achieving equal rights and opportunities for men and women. A Committee on Women, the Family and Youth had been established in the State Duma. A Department for Women, the Family and Children's Questions existed within the Ministry of Social Defence. It coordinated State policy on the family, the social equality of women and child development. The Department worked in cooperation with the federal executive and legislative branches of the State. A National Preparatory Council for the Fourth World Conference on Women had been established. It consolidated the efforts of the State and of non-governmental organizations to improve the situation of women and to develop the State's social policy and its legal base.

504. Concerning a question raised on State programmes for the advancement of women, the representative replied that the aim of those programmes was to create conditions for the realization of the principles of equality between men and women in terms of their access to legal rights and freedoms. Such programmes included the provision of support to women candidates for election, the nomination of women as candidates for posts at various levels of the executive and legislative branches, a system of control of the implementation of decisions, and cooperation with the Government and with trade unions and non-governmental organizations. One of the main goals of those programmes was to help women with their family obligations and to achieve an equal distribution of family responsibilities between men and women.

505. Replying to a question on the role of women in economic and social decision-making and the integration of their concerns into economic and social planning, the representative, referring to the fourth periodic report, informed the Committee that women in the Russian Federation were not adequately represented at the decision-making level. The problems of women's participation in economic and political decision-making had been discussed at a National Conference on Women in Development in December 1994. She further stated that the current strategy for increasing the participation of women in decision-making was directed at the restructuring of the existing system of societal governance by the enactment of the necessary laws, the creation of the necessary conditions and the development of special programmes for the training of women.

506. In reply to questions by members of the Committee concerning the resettlement of refugees, including women, the representative recalled the extent, dimensions and causes of migration in the Russian Federation. She stated that the Federal Migration Service of the Russian Federation had been established in 1991. As at 1 January 1994, 447,900 refugees had been registered, of which women accounted for 53.4 per cent. Refugees received payments equal to the minimum wage and were entitled to interest-free, long-term credit, which had been paid to 6,700 refugee families in 1992 and 1993.

Article 4

507. With regard to special measures to guarantee de facto equality, the representative stated that the law did not allow discrimination on the basis of sex. She also informed them that reform of the legislation of the Russian Federation for purposes of ensuring equality was under way.

Article 5

508. In response to a question on what had been done to ensure that women were fairly portrayed in the media, the representative stated that that issue, among other concerns of women, was systematically addressed by the programmes on State television and radio. The purpose of those programmes was to inform women of their rights and to draw public attention to women's problems. She named a number of popular programmes that addressed women's issues and concerns. She noted, however, that the stereotyping of the role of women and their place in society sometimes took place in the media and in the press.

509. Members of the Committee wanted to know whether the Government made systematic studies of forms of violence directed against women and the consequences of abuse suffered by them. In reply, the representative stated that her Government interpreted violence against women as a violation of their human rights. She provided the Committee with statistics on various forms of violence against women and information on the consequences of such violence for the lives and health of the women subjected to it. In September 1994, the National Preparatory Council for the Fourth World Conference on Women had convened a meeting to discuss the 1993 Declaration on the Elimination of Violence against Women. The National Platform for the Advancement of Women contained a separate section dealing with action for the prevention of violence against women. She also informed the Committee that in 1993, 14,400 rape cases had been registered. In that year, the total number of crimes involving women as victims was 331,800. As a result of those crimes, 14,500 women had died and 56,400 had suffered mutilation or other bodily injury. The representative stated that the legislation of the Russian Federation regarded rape as a criminal offence punishable by long-term imprisonment. She recognized the need for shelters and mentioned the attempt to establish rehabilitation centres for the victims. Attention was given to the identification of the profiles of violators in order to improve the prevention of such crimes. She also said that, in order to combat violence against women, solutions should be found to current economic and social problems, inter-ethnic conflicts and decline in the living standards of the population.

510. Responding to the question concerning the role of the family during the period of transition and the increase of the burden of family responsibilities on women, the representative said that although her Government considered the distribution of family responsibilities as an internal family matter, it nevertheless viewed egalitarian distribution of those responsibilities as desirable and conducted policies directed at the encouragement of equal participation of men and women in parenting and caring for family members. She also stated that the expansion of economic freedom of Russian women would help to liberate them from the everyday burden of domestic work.

Article 6

511. One expert cited an independent non-governmental organization source of information on prostitution in the major cities of the Russian Federation, and requested more information on prostitution and on measures that the Government

had taken to address those problems. In response, the representative stated that although it was not appropriate to refer to a source other than the report under discussion, she nevertheless was willing to comment on some aspects of that phenomenon. She referred the Committee to the fourth periodic report, where the legislation dealing with prostitution was described. She stated that the law did not establish criminal liability for prostitution, but corruption of minors, keeping of brothels and procuring for pecuniary gain were considered criminal offences. She also informed members that there was no department in the Russian Federation dealing with prostitution and, therefore, there was no reliable source of information and statistics on that issue. She stated that prostitutes did not undergo any additional medical examination and could be held responsible for their actions only in an administrative way, in other words, they could be fined.

512. The representative stated that the Government did not seek to determine whether marriages between Russian women and foreign citizens were genuine. She also pointed out that because legal illiteracy was quite widespread, it was conceivable that some Russian women could have been taken abroad on fictional contracts. She referred to the fact that the Russian Federation had joined Interpol, which might help to address problems of prostitution and associated criminal acts.

Article 7

513. In response to a question concerning the representation of Russian women in Parliament and the generally undemocratic situation with respect to women's participation in political decision-making, the representative replied that, after a decrease, there had lately been a notable increase in the activities of women and in their self-confidence. There were now more women leaders in public movements and political parties in the Russian Federation. The political movement "Women of Russia" had been founded in October 1993 and was represented in the Parliament. Its main goal was to promote the socio-political role of Russian women and to advance them to decision-making positions. Although women's representation in the legislative organs of the federal Government had somewhat improved, they were still significantly underrepresented in the upper echelons of federal ministries. In 1995, there were only two women ministers. The strategy for the integration of women in decision-making was directed at the development and implementation of special programmes for the training and promotion of decisive, able and competent women.

514. In her answer to the question concerning measures taken by her Government to ensure that the level of women's representation in public life did not decline, particularly in rural areas, the representative said that legislation in the Russian Federation contained no discriminatory rules limiting the participation of women in the political life of the country. She pointed out that the old system of quotas, although helping to soften the effects of discrimination on women, was an old-fashioned way to address the problem and new methods should be sought. In that respect, she emphasized the greater political participation of women, which was rising. Women's organizations were an integral part of the country's socio-political structure, but many of them were still in the process of being built and were faced with a variety of difficulties. The representative informed members of the Committee that special measures had been formulated to find competent women to stand for election to executive bodies.

Article 10

515. In response to the question on government initiatives to evaluate sexism in the educational system, the representative responded that article 5 of the Education Act of the Russian Federation guaranteed access to education regardless of various factors, including sex. Women in the Russian Federation had equal access with men to higher and technical education with the exception of some occupations where operation of hazardous machinery or performance of physically strenuous tasks were required. Some restrictions on women's participation in those occupations were spelt out in job descriptions. The representative informed the Committee that the proportion of women in higher educational establishments was stable.

Article 11

516. Responding to the question on the high rate of unemployment among Russian women, the representative said that the right to work and the right to non-discriminatory treatment in the labour market were the most difficult and contradictory questions to be addressed under the conditions of the fledgling market economy. She stated that women had accounted for almost 70 per cent of the unemployed in 1993 and explained that it was the result of the restructuring of "women's branches of the economy". She pointed out, however, that the proportion of women among the unemployed was expected to decline to 60 to 65 per cent as the first stage of the reform had now been completed. She also informed members that the Government had just begun to regulate labour relations under the conditions of a market economy and based its policies on the principles of assistance to the needy and of strengthening conditions for the development of employment opportunities.

517. Regarding discrimination against women in the labour market, the representative informed the Committee that the Government had never stated explicitly or implicitly that women should confine themselves exclusively to matters of family and home-making. At the same time, freedom of expression allowed some journalists and politicians to express their personal views regarding the role of women in the economy and society. She noted that there was unequal treatment of women and men in the private sector, though women who had been discriminated against were free to turn to the courts for the resolution of discrimination cases, even when companies were closing.

518. As regards the disparities in remuneration between men and women, the representative informed the Committee that salaries of women were lower not because of discrimination, but because they were employed in the sectors dependent on the State budget. The average salary of a woman in the Russian Federation was one third lower than that of men. On the other hand, when women held jobs comparable to those of men, they were paid at the same rate.

519. Concerning special treatment given to pregnant women, members asked how the policies of maternity leave and benefits had been implemented under conditions of scarcity. In response, the representative said that such measures had been taken and were discussed in the fourth periodic report.

520. Members of the Committee wished to know the value of family allowances in real terms compared with the period before economic reform. The representative said that the analysis of changes in the real value of family allowances was complicated because of the difference between the purchasing power of the family income and its nominal value. Changes in the structure of allowances constituted the other source of complexity. She informed the Committee that as

at the end of 1993, there were several types of allowances available to families with dependent children. The size of the allowance was determined on the basis of the age of dependent children and the number of income-providers in the family. She also informed the Committee that since 1992, families with dependent children were entitled to a tax deduction per dependent child.

Article 12

521. In response to the question on the impact of structural adjustment on the provision of and access to health care by women and children, the representative informed the Committee that access to health care in her country was guaranteed by the Constitution. The health care system was being transformed from a system based on the State budget to one based on private insurance. The State guaranteed access to free health care to women and children.

522. In connection with the question regarding the impact of the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) on women in the Russian Federation, the representative said that the Government considered this a priority task and a matter of national security. She informed the Committee that in January 1994, 264 cases of women with HIV had been registered in the Russian Federation of whom 42 per cent were girls and of whom 33 had been pregnant when diagnosed with the virus. The Government had drafted a law on the prevention of the spread of HIV/AIDS in the Russian Federation, which was now being considered by legislative organs of the Government.

523. Responding to the question on family planning and the request for recent data on that issue, the representative stated that the Government was financing a federal programme to establish family-planning offices in all medical establishments. The programme aimed at greater availability of contraceptives and a reduction in the number of abortions. She informed the Committee that in 1994 25 family-planning centres were operating throughout the Russian Federation and, as a result of that, the abortion rate had declined to 94 per 1,000 women from 114 per 1,000 in 1990.

Article 14

524. Concerning the impact of fertilizers and pesticides on the health of women farmers and their children, the representative stated that her Government had taken a number of measures directed at improving the life of rural women. Women in rural areas were in some cases entitled to additional benefits. Women below the age of 35 were not allowed to be assigned to work with poisons, pesticides and disinfectants. There was a specific list of occupations and places where women were not allowed to work. The Ministry of Agriculture and Food had developed a programme directed at the introduction of greater automation and reduction of manual work in the areas that were especially harmful to human health.

525. Experts requested some additional information on rural-urban migration involving women. The representative replied that migration from rural areas was caused by the lack of prestigious employment opportunities in those areas. She stressed that unemployment could not be viewed as the single most important cause of migration because women from rural areas had little chance of finding employment in the cities. She also pointed out that migration from rural to urban areas had always been typical for the Russian Federation and in the past had been the result of the urbanization policy.

526. In connection with the question on the marketing infrastructure available to rural women, the representative replied that such infrastructure was at the initial stage of its development. The Government expected that in the future it would be widely accessible to all people employed within the agro-industrial complex.

Article 16

527. One expert commented that, according to various media reports, there had been an alarming increase in the number of homeless children in the Russian Federation. She wanted to know what the reason for that was and what measures had been taken by the Government to address the problem. The representative responded that every year in the Russian Federation 60,000 unsupervised minors were arrested for vagrancy and criminal activity. She informed the Committee that at present there were 59 social rehabilitation centres, 151 orphanages and 5 centres for assistance to children operating in the country. The activities of those institutions were directed at finding caring homes for children without families.

Additional comments and questions

528. Members of the Committee applauded the in-depth, substantive answers provided by the representative in response to questions posed by the Committee. One member expressed her concern about the system of quotas and the fact that the Government seemed to have completely discarded the potential usefulness of quotas as a tool for the facilitation of the advancement of women. She said that she could not see how the Russian Federation could improve women's participation in decision-making without obliging political parties to incorporate women into politics. She further stated that quotas had been used successfully in many countries. She expressed her hope that the creation of women's organizations and the greater involvement of women in politics could help the incorporation of their interests into the economics and politics of the transition.

529. In response to that comment, the representative said that although quotas might be of some use in the facilitation of women's advancement, Russian women felt demeaned by them. She said that her Government saw more opportunities for the improvement of the situation of women in the Russian Federation through encouraging women's political participation. She said that it was essential to get more women involved in the work of women's organizations and political parties.

530. Another expert expressed her concern that women in the Russian Federation, like in many other countries that underwent structural adjustment, were the main victims of the negative effects of the transition process. She said that during the period of transition, Russian women were exposed to discrimination from both the old and the new systems. She further expressed her concern over the feminization of poverty and its devastating consequences. She commented on the segregation of the labour market and expressed her hope that the new system would be able to overcome that impediment to the advancement of women.

531. Another expert was concerned with the resurgence of stereotyping. She pointed out that the stereotyping of the role of women was not addressed under the old system and there existed a real danger of its perpetuation. She stressed the need for addressing women's individual and not just family-related needs. She also expressed her concern about the current internal war in the

Russian Federation and its consequences in terms of loss of life and drain of much-needed financial resources.

532. One expert made a comment about the impact of structural adjustment on social services and the deteriorating health of the Russian population. She was especially concerned about widespread illnesses of the lungs, the digestive system and the nervous system among Russian children. She requested more information on the causes of those illnesses, particularly nervous disorders.

533. In response to that comment, the representative cited ecological reasons, poverty and worsening nutritional standards as possible causes of the widespread deterioration in the health of Russian citizens.

534. A comment was made concerning the scope of new social and economic problems that had to be dealt with by the Government in the context of transition. The problems of poverty, the deterioration of the health system and the decline in the provision of social services were mentioned. In that context, the expert expressed her fear that continuation of the reform would lead to further deterioration in standards of living in the country. She felt, however, that there were some positive developments as well. She thought that economic and political crises brought a greater awareness of women's problems and encouraged women's political participation. She advised the Government of the Russian Federation to use the Committee in its efforts to reform the economy and society.

535. One member commented on the need for more special temporary measures to help Russian women achieve full integration of their interests into economic and social policy-making during the period of transition.

536. Another expert expressed her concern about the growing number of prostitutes in the Russian Federation, who operated not only in the Russian Federation but also in other countries where their human rights were constantly violated. She said that there were many Russian prostitutes in Turkey and some of them were infected with HIV. She requested some information on what happened to Russian prostitutes who were deported from Turkey and other countries. She felt that such information was needed for better monitoring of women's human rights.

Concluding comments of the Committee

Introduction

537. The Committee appreciated the frank appraisal of the situation in the fourth periodic report of the Russian Federation, as well as the frank oral presentation. In contrast to the third periodic report, it revealed that the excellent legal framework for the advancement of women in the Russian Federation neither automatically guaranteed nor led to the realization of non-discrimination and equality of rights and opportunities between men and women. Furthermore, as was clearly indicated in the fourth periodic report, achievements by and for women, made in the past were being threatened by the current social and economic upheavals.

Positive aspects

538. The Committee appreciated the inclusion in the fourth periodic report of a list of laws that revealed that, between 1990 and 1993, the Government of the Russian Federation had seriously endeavoured to adhere to the gender principle

in most aspects of law, from the Constitution (1993) to Presidential Decrees and Ministerial Regulations and Instructions.

539. In spite of all the problems faced by the Russian Federation, the Committee appreciated the substantial changes being introduced in the educational system of the country.

540. The Committee also noted with satisfaction the statement that the Government of the Russian Federation had the intention of applying the spirit and letter of the Convention in order to ameliorate the situation of women during the period of transition.

Principal subjects of concern

541. The Committee considered as the most critical matter whether all the laws and regulations, which had been listed in the fourth periodic report had actually been implemented to women's benefit.

542. The Committee expressed its concern as to the deterioration in the lot of women and children (e.g. in their health, life expectancy, employment opportunities, and educational opportunities), which seemed to be profound, despite recognition of women's political, economic and social rights.

543. The Committee also expressed its concern over the following consequences of the transformation from a Marxist society to a market economy with deregulated and privatized property and the inherent economic, political and social changes:

(a) Difficulties in achieving the goals of the Convention;

(b) Increase in the social vulnerability of part of the population;

(c) Severe constraints on women's ability to exercise their equality of opportunity.

544. The Committee expressed serious concern about the deterioration of the structure of the society as a result of restructuring of the country leading to mass migration.

545. The Committee also expressed concern about the transition's negative impact on the health of the population, especially women and children, in particular as regards tuberculosis, and the decline in the birth rate, being in fact exceeded by the death rate, which affected the growth of the population. The Committee was equally concerned about the quality of the population's diet and the subsequent increase in maternal mortality.

546. The Committee expressed its deep concern that all those problems had a serious impact on women in their roles in the family and affected their ability to earn an income and participate in education and all facets of the society.

547. The Committee was also concerned that inadequate public health financing had led to a reduction in guaranteed state medical aid to women and children, while state expenditure for education in general was being curtailed.

548. The Committee was equally concerned that women's unemployment had increased ninefold and that it equally hit women with little as well as with high level training. Concern was also expressed about the fact that women received on average 30 per cent less pay than men.

Suggestions and recommendations

549. The Committee strongly recommends that in the light of the serious consequences of the current economic restructuring during the period of transition the Government should implement, as a matter of priority, emergency economic measures to alleviate the acute suffering of Russian women.

550. The Committee recommends that the Russian Federation have a mechanism within its federal administration with sufficient staff and resources encharged with initiating and coordinating the overall policy level for women and with implementing the content of the Convention. The person heading such mechanism should be at the highest possible level in order to have an impact on all the decisions of the Government which affect women. In view of the size of the country and the great number of inhabitants, the Committee considered as appropriate the need for such mechanisms at all levels.

551. The Committee suggests that special temporary measures be taken to promote the participation of women at the decision-making level in different fields, including at the highest levels.

552. The Committee recommends that the subsequent report provide information on the consequences of the political restructuring on women.

5. Reports submitted on an exceptional basis

553. The Committee considered a report submitted on an exceptional basis through the presentation of the report by the State concerned, followed by questions by the experts and answers by the State.

554. In her opening remarks, the Chairperson of the Committee recalled that, at its twelfth session, in 1993, the Committee had decided, inter alia, that it should, pursuant to article 18 of the Convention, request States of the territory of the former Yugoslavia to submit a report or reports on an exceptional basis and that such a report or reports should be considered at the next session. In addition, the Committee had put on record its commitment to look into similar grave violations of rights being experienced by women in any part of the world. 9/

555. She also noted that, in accordance with the practice of other human rights treaty bodies, the Committee, deeply concerned about recent and current events in the territory of the former Yugoslavia affecting the human rights of women protected under the Convention, having noted that all the women within the territory of the former Yugoslavia were entitled to the guarantees of the Convention, finding that the new States within the boundaries of the former Yugoslavia had succeeded to the obligations of the former Yugoslavia under the Convention, and acting under article 18 of the Convention, had requested certain States within the territory of the former Yugoslavia, in particular Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), to submit reports on an exceptional basis within the mandate given by the Committee at its twelfth session. Croatia was unable to submit its report to the Committee at its thirteenth session and it was agreed that it would submit its report to the Committee at the fourteenth session.

Croatia

556. The Committee considered the report of Croatia that had been requested on an exceptional basis at CEDAW's thirteenth session, at its 279th meeting, on 31 January 1995 (see CEDAW/C/CRO/SP.1).

557. The representative of Croatia made a statement in which she informed the Committee about the protection of human rights of women in her country and on how the war in Croatia had affected women. She emphasized that women's ability to exercise their human rights and participate at all levels of decision-making in her country should be considered in the light of the complex situation of the war, which affected various parts of Croatia differently. In the first part of her presentation, the representative informed members of the Committee about the Croatian legislation pertaining to women's economic, social and political roles. The Croatian legislation was in full compliance with the provisions of the Convention and the representative identified the various laws and measures in Croatia that ensured equality of human rights of men and women according to those provisions. In Croatia there were no laws or regulations that discriminated against women. She also drew attention to the high standards of the protection of women at work, during maternity and in health in general. She pointed out, however, that in spite of laws and measures that guaranteed women's equality in all spheres of life in Croatia, women did not use the existing legislation to its fullest extent, particularly in so far as their rights to equal political participation were concerned. She pointed out that the war in her country prevented women from benefiting fully from the enabling legislative

environment, and as a result of the war women in Croatia suffered maltreatment, torture, humiliation, degrading treatment and rape.

558. The representative of Croatia stated that women accounted for 23 per cent of all wounded and 20 per cent of killed civilians. Twelve per cent of wounded women suffered disabilities and serious bodily impairment. Women accounted for 24 per cent of forcibly disappeared or missing persons. The disturbing violations of women's rights in which women were used as part of the tactic (as tools) of ethnic cleansing had taken place at the end of 1991 and the beginning of 1992. Women were captured and detained in prisons, where, according to the accounts of some of the 744 women who were subsequently released from camps in Serbia, the conditions were extremely poor. Women were maltreated and often beaten. The representative pointed out that more than half of the detained women were older than 45. Children were also detained in prisons and camps along with women. There were accounts of mass rape of women. The pattern and time of occurrence of mass rape suggested strongly that it was used as a method of ethnic cleansing. Rapes were perpetrated within the occupied territories of Croatia and in the detention camps located in Serbia.

559. The problem of forcibly disappeared or missing persons involves two categories of women victims: women who are themselves forcibly disappeared and missing, and women whose family members are forcibly disappeared and missing. All this causes the most complex problems.

560. The Croatian Government organized the provision of help and support to victims of war. It made a commendable effort to collect information relating to the violation of women's rights by encouraging women to provide the testimonies of those violations. Testimonies by women constituted not only the source of information on violations of women's rights, but also a form of psychological support and therapy that were badly needed by women who had experienced the physical and emotional scars of rape. Five hundred testimonies of women victims of various forms of maltreatment were collected. Among those cases rape accounted for 10 per cent. Sixty per cent of raped women were, at the same time, victims of torture and maltreatment. It is believed, however, that the actual number of raped women is much higher than that reported. For cultural, religious and historical reasons women sometimes do not report sexual abuse or deny its occurrence. As a consequence of rape, four children were born. The representative of Croatia stated that all such children were cared for by their mothers and their respective families, by foster families or by the appropriate government institutions.

561. The Government of Croatia had made significant efforts to provide assistance to 103,671 displaced and 111,017 refugee women in the territory of Croatia who had suffered violations of their human rights, including rape and maltreatment. They were provided with basic necessities such as food, accommodation, health care and schooling. At the beginning of 1993, the Government had established a comprehensive programme for the protection and assistance of the victims of war, consisting of 10 projects. One project dealt with the provision of gynaecological care for women who had suffered sexual abuse. However, the Government was not able to implement that programme because of lack of financial resources and lack of support from international organizations and foreign Governments.

General observations

562. Members of the Committee thanked the representative of Croatia for the submission of a thorough and comprehensive report despite the extremely

difficult circumstances in her country. One member deplored the fact that the Croatian Government had not been able to present the report last year as requested. Members expressed their satisfaction with the efforts of the Government of Croatia to reflect the provisions of the Convention in the Croatian legislation and to ensure equality between men and women in all spheres of life. They deplored the violations of women's human rights that took place in the context of the war and expressed their concerns at the impact those violations had on women's lives and their physical and mental health. They commended the Government of Croatia for its effort to provide assistance to women victims of war.

563. Members of the Committee expressed their solidarity with the women of Croatia and their hope that a peaceful solution to the war would be found soon. One member said that from the report of Croatia she had concluded that there had been no aggression against women living in Croatia. She also understood that the events described in the report were events that had taken place in the past and involved primarily refugee women from Bosnia and Herzegovina. She thus wanted to know if her understanding of the situation was correct and that the events described in the report were not happening currently. She also wanted to know if women who had suffered rape in the course of the military conflict had been able to have access to the abortion services, psychotherapy and adoption services and if they were entitled to monetary compensation. Responding to that comment, the representative of Croatia stated that women who became pregnant as a consequence of rape had a right to abortion. Women could also decide whether to keep children conceived as a result of rape or offer them for adoption. Women in Croatia were still the victims of the atrocities committed against them in the temporarily occupied territories. During the period from April 1992 to September 1993, 12,468 persons had been forcibly displaced from the occupied territories, and placed temporarily under United Nations protection; the representative referred members of the Committee to the table that had been submitted to them prior to the meeting.

564. One member of the Committee requested further information concerning the gynaecological treatment programme for the victims of rape that had been mentioned in the representative's presentation. Other members requested more information on the lack of financing for that programme so that they could make a proposal with respect to that issue.

565. Members wanted to know if the Government of Croatia had succeeded in bringing persons responsible for the violation of women's human rights and for war crimes to the International Tribunal for the former Yugoslavia. She also wanted to know if there had been any incidents of aggression against and abuse of women by the Croatian army. In reply, the representative pointed out that the Croatian army was organized to defend the country against the "brutal Serbian aggression" and, initially, had not even been properly armed. She stated that it was conceivable that rapes by the Croatian army had occurred; nevertheless, rape had never been used by the Croatian army as a tool of ethnic cleansing. Any confirmed cases of rape by Croatian soldiers would be prosecuted under Croatian law.

566. The Committee members expressed their concern at the lack of national machinery for the advancement of women and for the protection of their human rights. They acknowledged the particularly difficult circumstances in Croatia, but nevertheless stressed that national machinery for women was very important and could be very helpful to women in such times of difficult circumstances. As women tended frequently to be treated as second-class citizens, they needed spokespersons to uphold their rights and articulate their special needs.

567. With regard to missing persons mentioned in the report, one member pointed out that she appreciated the fact that the Government of Croatia was in touch with the Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights. She suggested that the Government should also get in touch with the Special Rapporteur on violence against women.

568. Questions were raised with respect to the Comprehensive Programme for Protection and Help to Victims of War initiated by the Government of Croatia in 1993. One member of the Committee commented that it was incomprehensible that such a programme was unable to secure the necessary funding. She herself was aware of funds available in Germany for the financing of such programmes in the zones of military conflict in the former Yugoslavia. She wanted to know: (a) who coordinated the efforts to obtain funding for that programme; (b) whether it was the Government or non-governmental organizations; (c) why their efforts did not succeed; and (d) whether the lack of success was the result of excessive bureaucracy. In reply, the representative of Croatia stated that the programme was a comprehensive effort designed to help all victims of war. She confirmed that substantial help and resources had been committed to Croatia for the purpose of solving various problems of refugees and displaced persons. The biggest portion was used to cover their extensive basic needs, such as accommodation, food, schooling and health care. Over the past year, some $24,200,000 had been spent on health care for refugees. Although that programme did not receive direct financial support, assistance to victimized women and other persons who suffered as a result of the war was provided through regular funds obtained by the Government of Croatia.

569. Having expressed her concern at the maltreatment and rape of women during the war in Croatia, one member of the Committee commented on the role of NGOs and women's organizations with respect to the current situation of women in Croatia and in the neighbouring republics. She wanted to know what women's organizations existed in Croatia and how they cooperated with international non-governmental organizations. She also wanted to know which international non-governmental organizations had visited Croatia. She asked the representative to state specifically what kind of assistance her Government wanted the Committee to provide. Concerning the involvement of NGOs, the representative of Croatia stated that her Government appreciated their assistance and their effort to deliver help to the victims of the war.

570. Several members of the Committee commended the Government of Croatia on its effort to provide the information on the situation of women in that country. They condemned mass rape and deplored its use as a weapon of ethnic cleansing. They encouraged the Government to seek peaceful means to resolve the military conflict. But they also stated that peace was not just the absence of war, but also social justice for all. They called for punishment of the perpetrators and wanted to know what had been done in that respect, whether complaints had been taken to the newly established International Tribunal and how women were involved in that process. Members of the Committee expressed concern at the effects of the war on children and wanted to know whether children had continuing access to education and how war and the crimes committed in that context were reflected in school curricula.

571. Members noted that the report of the representative of Croatia documented and properly identified the gender-specific impact of the war. They commented on the positive effects of breaking the silence and letting women talk about crimes committed against them. One member cited the document prepared by the United Nations Educational, Scientific and Cultural Organization (UNESCO) that defined the rape of women during the war as "the war crime". She stated that

the UNESCO report stressed the need to "name the guilty and record the crime in law" and she wished the representative of Croatia to respond to that statement. She also wanted to know what, if anything, had been done to provide women who had suffered rape and other forms of abuse with the monetary compensation for their suffering.

572. Responding to questions concerning the punishment of perpetrators of war crimes, the representative of Croatia stated that her Government had established a Commission on War Crimes which was collecting data and evidence concerning war crimes. The International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 had been established and its work had just begun. The Government of Croatia was cooperating fully with the Tribunal and had already forwarded to the Tribunal the data it had collected. In order to bring the perpetrators to trial, however, the full support and cooperation of the international community was essential.

573. Members of the Committee raised questions relating to the reintegration into society of the victims of sexual and other forms of abuse. Concerns were expressed at the impact those events had on young girls who might need psychiatric and other help for some time to come. The Committee members encouraged the Government of Croatia to follow up the victims on a case-by-case basis.

574. One member commented that in the past, women in Croatia had been used as a tool of war. She stated that the time had come for women in that country to become the heart of the "machinery for peace". She encouraged the Government to initiate the dialogue on peace and expressed her hope that a peaceful solution would soon be found.

575. Members of the Committee commended the Government of Croatia for its efforts to provide women who suffered as victims of war with assistance, health care and psychological counselling. One member raised the question of the possible spread of HIV/AIDS among abused women and the devastating impact it would have on the country and its women. She wanted to know if any information on the magnitude of that disease was available to be sent to members wishing to see it.

576. Responding to the question concerning the spread of HIV/AIDS, the representative of Croatia stated that information had been collected and would be presented in the next report. She also stated that her Government had undertaken a comprehensive programme to control the spread of the disease.

577. The Committee members commended the Government of Croatia on its efforts to extend care and protection to refugee and displaced persons on the territory of Croatia. They wanted to know how many children were among the displaced population and whether they received adequate care. They wanted to know if medical help was available to them and how they were prepared for reintegration into the life of the society after the trauma of war.

578. In referring to the problems of refugees and their dependants, the representative of Croatia stated that refugee women received financial support that was augmented if they had children. They also had full rights to primary health care and education in Croatia, and to secondary health care in the event of life-threatening problems, free of charge. The Government of Croatia sought to assist persons disabled by the war and to provide psychological and social support to victimized women.

579. Concerns were expressed at the low participation of Croatian women in the political process. It was stated that, as the main agents of peace, women had to come to the forefront of all levels of decision-making. They should therefore be encouraged to participate more actively in the political process. In reply, the representative of Croatia stated that women in her country participated in the decision-making process, although somewhat insufficiently. She cited some progress in that respect in the judiciary and referred members of the Committee to the initial report for more information on the issue. She stressed that the reason for the low participation of women in decision-making was the war and its consequences. She emphasized that women in Croatia had a right to participate in decision-making at all levels, a right which was upheld by the Constitution and recorded in law.

580. The view was expressed that throughout the war in the former Yugoslavia, women were used as a weapon of war. Women should use that common experience to initiate peace. The Committee urged the women of Croatia and the women of other regions that suffered from the war to join their efforts in their search for a peaceful solution to the military conflict.

581. The representative of Croatia thanked the members of the Committee for their interest in the situation of women in Croatia and for their solidarity with the victims of the war.

Concluding comments of the Committee

Introduction

582. The Committee commended the representative of Croatia for submitting, at its request, her country's report on an exceptional basis, in spite of the difficult situation which Croatia is still undergoing.

Positive aspects

583. The Committee took note of the sufficient information and data, which confirm that the principle of equality is laid down in the Constitution of Croatia, that the protection of the rights of women is institutionalized and that the provisions of the Convention are an integral part of the country's legislation.

584. The Committee noted with relief that the Government of Croatia, the United Nations and international cooperation have set up support programmes for women and girls who were the victims of violence in order to provide them with the psychological, medical and social assistance that they require.

Principal subjects of concern

585. The Committee noted with concern that following the war in which Croatia was the victim, the situation of women in the occupied areas is alarming. Violations of the rights of women, violence, rape and sexual abuse were perpetrated against women and girls because of their sex.

586. The Committee noted with dismay that rape became systematic in nature and was used as "weapon of war" in order to force women to undergo humiliation and torture and leave their homes. The specific objective of the aggression was not only territorial gain, but was also part of the policy of "ethnic cleansing".

587. The Committee was also deeply concerned about the fact that many women were still missing and about the material and psychological effect this had on their families.

Suggestions and recommendations

588. The Committee recommends the establishment of a national mechanism to protect and expand the rights of women and encourage participation by women in the political field, decision-making and the struggle for peace. Although women were used by men as "a weapon of war", their solidarity and their organization in non-governmental organizations can constitute an instrument for peace.

589. The Committee recommends that the displaced and refugee women should not be marginalized and that they should be provided with necessary support and assistance by the Croatian Government.

590. The Committee encourages the Government of Croatia to continue its efforts and its social integration programmes, particularly for girls, who are just beginning their lives.

591. The Committee recommends above all that it is necessary to break the silence concerning the sexual abuse and aggression of which women are the victims, identify the guilty parties and bring them before national and international courts, and provide financial compensation to the victims.

C. Concluding comments on reports considered at the thirteenth session

592. The Committee considered the question of concluding comments on the reports of States parties that had been deferred from the thirteenth session. In response to a question on the practice of the Committee and of other treaty bodies, the Deputy Director indicated that the decisions of the Committee on the formulation of comments on the reports of States parties contained in paragraph 816 of the Committee's report on its thirteenth session 10/ suggested that the comments would be completed in the session at which the reports were considered. He stated that that was consistent with the practice of other human rights treaty bodies that prepared concluding comments, all of which adopted their comments at the session at which the report of the State party was presented. There had been no instances of comments being deferred to a subsequent session. Noting that the matter was not covered by the rules of procedure of the Committee, the Committee decided to include in the rules of procedure a provision to the effect that the Committee would complete all concluding comments at the session at which the relevant report was considered. The Committee also decided on an exceptional basis that it would complete the concluding comments that had been deferred from its thirteenth session at its fourteenth session.

Australia

593. The Committee emphasizes that the Convention has been recognized as one of the basic human rights instruments. The Government of Australia at the national level and at the international level has made significant efforts to put women's rights into the agenda at the International Human Rights Conference at Vienna, 1993, the Commission on the Status of Women, the Commission on Human Rights and the General Assembly.

594. Furthermore, the Committee notes with approval that the Government has adopted the new National Agenda for Women in 1993. This is the second plan of action concerning activities that the Government adopted in order to improve the status of women.

595. At the legal level, there hardly exists any longer any discrimination on the basis of sex. Following an evaluation of legislation, several legislative amendments have been made.

596. The Committee, however, expresses its concern about reservations which the Government made when ratifying the Convention. Although there have been some developments in this area, the Committee is particularly concerned about the reservations on paid maternity leave. The Committee urges the Government to continue its efforts to withdraw its reservations.

597. The Committee expresses its concern abut indigenous women, migrant women and particularly women from aboriginal groups and Torres Strait Island who are the most disadvantaged people in Australian society. The Government has been frank in its information to the Committee about these women. However, the status of these women is significantly different from other women living in Australia. Violence, life expectancy, unemployment and the health situation among aboriginal women are remaining problems.

598. The Committee urges that in the next report the Government provide more specific data concerning aboriginal women and about remaining obstacles that impede their progress to full equality.

599. The Committee also asks for information about improvements for the aboriginal women after the court decision Mabo and Others v. The State of Queensland. Will that decision permit aboriginal women to receive redistributed land on an equal basis with aboriginal men?

600. The Committee also expresses its concern about the Government's policy to encourage part-time work among women. Women need access to full-time work to achieve independent status and to improve their economic situation.

601. Finally, the Committee encourages the Government to adopt new temporary measures in order to increase women's participation in politics at the state and federal levels.

Colombia

602. The Committee considered the revised combined second and third reports of Colombia (CEDAW/C/COL/2-3/Rev.1) of 21 September 1993 at the meeting held on 31 January 1994.

603. The representative of the Government of Colombia introduced the document in question and replied to the questions which the Committee had submitted to him in advance and which had been prepared by the Pre-session Working Group.

604. The Committee considered that the reports of Colombia, which had been drawn up with the participation of not only governmental agencies but also non-governmental organizations, were in keeping with the Committee's guidelines for the submission of reports and provided detailed information on the implementation of most of the articles of the Convention. Furthermore, they analysed in a self-critical manner the obstacles that still existed. The

Committee drew attention to the extensive information provided on violence against women, which was felt to be of great interest; it regretted that no reference had been made to General Recommendation 18 of the Committee on handicapped women; and it asked how the increase in guerrilla activities and drug trafficking had affected the lives of urban and rural women and families.

605. In spite of the contents of the document, it should be pointed out that there were some shortcomings in it, such as the lack of analysis concerning articles 1 and 2 of the Convention, despite their particular importance. The Committee recommends therefore that in its future reports, Colombia should provide an adequate analysis of each of the articles of the Convention, in accordance with article 18.

Progress achieved

606. The following points should be underscored as the most significant ones in efforts to ensure the complete equality for Colombia women:

- Since 1992, divorce has been permitted for all marriages, including Catholic marriages, and the grounds of mutual consent have been added;

- In 1992, the Constitutional Court recognized that domestic work had monetary value, which constitutes a precedent and establishes jurisprudence;

- The patrimonial regime for de facto unions was regulated in 1990;

- The preposition de was removed from the names of married women through a legal order;

- The Law on Support for Female Heads of Families (1993) provides such women with access to social security both for themselves and their dependants;

- Law 50 of 1990 extended paid maternity leave from 8 to 12 weeks.

607. Furthermore, the Committee drew attention to the increased participation by females at all levels of the educational system, which has been put on an equal footing with the system for males, including university education, the reduction of illiteracy and fertility - although there are still differences in the number of children per woman according to her level of education - as well as the increase in the number of women who wish to work outside the home and who obtain a job.

608. The Committee attached particular importance to the 1991 Constitution, which contains several articles concerning the Convention on the Elimination of All Form of Discrimination against Women and the General Recommendations of the Committee, as well as a number of decisions by the Constitutional Court with regard to: (1) the ruling against an educational institution for expelling a girl because she was pregnant; the institution was required to readmit her; (2) the requirement to include sex education in primary education.

Obstacles and suggestions

609. The Committee regretted that the General Education Law of December 1993 had not included affirmative-action measures concerning non-sexist education or any provisions specifically relating to women. This required the Presidential

Council for Youth, Women and the Family to continue to provide strong support for programmes aimed at overcoming stereotypes concerning men and women in textbooks and other school materials, the training of teachers and school curricula.

610. The Committee also pointed out that the Presidential Council and Ministry of Labour should publicize to a greater extent than up to now the rights of women in the workplace and seek ways of supporting them and protecting them more effectively against abuses in enterprises in sectors such as flower-growing, the clothes and food industries and particularly the informal sector. It would be advisable to train, in particular, officials responsible for monitoring the correct application of labour legislation, for example labour inspectors, with regard to the rights of working women.

611. On the basis of the information provided on violence against women and on women prostitutes, the Committee requested that the next report should supplement that information with new data and analyses and, above all, information on new measures to eliminate violence against women in all its forms. It was suggested that all necessary steps should be taken to ensure that in cases of domestic violence, the aggressor was the one who left the residence instead of the woman attacked, as occurred in many places in the world.

612. The Committee criticized the high number of miscarriages and the maternal mortality rate resulting from them, which made it consider the possible need to amend the legislation in force and the necessity to continue to promote the spread of family planning, particularly in rural areas.

613. The Committee pointed out that policies to promote equality should be stepped up with regard to the most impoverished women and the low level of training and should eliminate the differences which still existed between urban women and rural women.

614. While the Committee viewed positively the fact that some Colombian women had reached very high-level posts (three ministers, including the Minister for Foreign Affairs), it considered that speedier progress should be made in the participation by women in decision-making, for example, through government support for specific programmes for women candidates in elections.

615. In order to promote and coordinate these measures and continue making progress in implementing the Convention, the Committee recommended strengthening the government mechanism responsible for policies on equality - currently the Presidential Council for Youth, Women and the Family - by providing it, under the law, with sufficient authority to propose, promote, coordinate and carry out measures on behalf of women at a higher hierarchical level within the Administration, greater autonomy and more human and economic resources. If all that was established by law, the changes of government would not have a negative impact on its functioning.

Guyana

Introduction

616. The Committee commended the Government of Guyana for ratifying the Convention without reservation and presenting its report and its replies to the questions of the Committee as comprehensively as possible.

617. While the report was considered to have some shortcomings, the Committee nevertheless had the impression that the Government of Guyana was fully committed to the full and equal integration of women in all areas of society.

Positive aspects

618. The Committee noted with satisfaction that the implementation of the Convention had led to the improvement of the legal status of Guyanian women through legal reforms. It also applauded the Government for having raised the status of the national machinery for women to that of a ministry.

619. It also applauded the Government's willingness to seek assistance from international agencies for implementing its programmes for women and for assistance in reporting its reporting obligations.

Principal subjects of concern

620. The Committee expressed its concern that the provisions of the Convention were not integrated into the Constitution of Guyana and that some laws still needed to be amended in order to comply fully with the Convention.

621. It noted also with concern the lack of family planning services and the numbers of illegal abortions because of it.

622. It also noted that women were still underrepresented in many of the political, administrative and economic higher decision-making echelons, thereby depriving society of women's knowledge and experience.

Suggestions and recommendations

623. The Committee recommends that in the subsequent report the Government of Guyana include more concrete data on measures implemented on obstacles encountered and provide the Committee with more statistics to illustrate change.

624. The Committee requests more information on violence against women and measures to combat it.

625. The Committee encourages the Government of Guyana to pursue a comprehensive approach of legal reform relating to the family; it also encourages the Government to seek further assistance from international agencies or on a bilateral level to improve women's material situation in Guyana. In that context, priority should be assigned to enhancing women's economic situation.

Japan

626. The Committee on the Elimination of Discrimination against Women (CEDAW) considered the combined second and third periodic reports of Japan (CEDAW/C/JPN/12 of 9 July) at its 248th meeting, on 27 and 28 January 1994.

Introduction

627. The Committee commended the Government of Japan on the presentation of a detailed combined report, which followed the guidelines for reporting and provided information on questions left unanswered during consideration of the initial report. The Committee also noted with appreciation the extensive responses given to the questions put by the Pre-session Working Group, but

expressed its concern that the information was not provided in sufficient time for the pre-session group to consider it fully. The Committee, while appreciating the richness of the report, asked the Government of Japan to bear in mind the Committee's constraints of time for considering reports, so that in future a fuller dialogue between the distinguished representatives of the Government of Japan and the Experts could take place.

Positive aspects

628. The Committee noted and commended that some consultation with non-governmental organizations having an interest in issues affecting women had occurred. It noted in particular the active interest taken by Japanese non-governmental organizations in the Convention and also noted the independent reports provided by them. The Committee considered that this interest was indicative of the level of mobilization and concern among Japanese women and the degree of consensus about the major obstacles faced by them in achieving equal status with men.

629. The Committee also commended the Government of Japan on the progress made in a short time in advancing the status of women, particularly in the increased participation of women in public and political life, and the plans of the Government to improve further that participation. The Committee also applauded the way in which the Government had encouraged the broader participation of women in education and its action in implementing a family leave scheme.

Principal subjects of concern

630. The Committee observed with concern that although Japan ranked second among the countries of the world in terms of overall resource development, according to the United Nations, her ranking was reduced to fourteenth when the socio-economic status of Japanese women was taken into consideration. The Committee considered that this demonstrated the State's indifference to integrating women fully in the economic development process of the country.

631. The Committee also expressed its concern that although the report contained a wealth of data, it was otherwise descriptive and lacked critical analysis of the obstacles to full implementation of the Convention in Japan.

632. The Committee noted further that, despite the introduction of the Equal Employment Opportunity Act, individual discrimination continues.

633. The Committee expressed its disappointment that the Japanese report contained no serious reflection on issues concerning the sexual exploitation of women from other countries in Asia and during the Second World War. It noted that Japan's commitment to the Convention required it to ensure the protection of the full human rights of all women, including foreign and immigrant women.

Suggestions and recommendations

634. The Committee asks that the Government of Japan engage in effective dialogue with Japanese women's organizations during the preparation of the next periodic report so that a better picture of Japanese women emerges. The legal and functional discrimination faced by Japanese women, both in the private sphere and in the workplace should be identified, as should the measures in place or planned to overcome these obstacles.

635. To enable the Committee to have a better understanding of commercial sexual exploitation or prostitution of immigrant women in Japan, more detailed information should be provided on the sex industry in Japan. The Committee requests the Government of Japan to undertake a study of the sex industry in Japan and to provide information on the findings in its next report. The Committee also encourages the Government to take specific and effective measures to address these current issues as well as war-related crimes and to inform the Committee about such measures in the next report.

636. The Government of Japan should ensure that the private sector complies with the provisions of the Equal Employment Opportunity Act and report on the measures taken to address the indirect discrimination faced by women, both in terms of promotion and wages in the private sector.

V. WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE

637. The Committee considered ways and means of expediting its work (agenda item 8) at its 260th, 263rd and 280th meetings, on 16 and 17 January and 1 February 1995.

638. The item was introduced by the Deputy Director of the Division for the Advancement of Women, who presented the report prepared by the Secretariat (CEDAW/C/1995/6).

A. Action taken by the Committee on the report of Working Group I

639. At its 280th meeting, on 1 February, the Committee considered the report of Working Group I.

1. Reports to be considered at the fifteenth session

640. The Committee is fully aware of the backlog of reports to be considered. However, it emphasizes that the quality of the Committee's work should not suffer for the sake of the quantity of reports considered. Because of the Convention's complex nature and the major global changes in the world, more time should in future be dedicated to constructive dialogue with the States parties. It is therefore recommended that, as a target when adequate meeting time is provided, three meetings should be allocated, on average, for the consideration of a State party's report.

641. The Committee authorizes the Secretariat to inform States parties that have not sent a representative to appear before the Committee in spite of being invited to do so, about its concern on this issue, especially given the large number of reports pending consideration. The Committee will reschedule the State's presentation at a later date and request an update of the information contained therein.

642. On an exceptional basis, given that the duration of the fifteenth session is three weeks, it is recommended that a maximum of two and a half meetings be allocated for the consideration of initial reports and two meetings for the consideration of subsequent reports. On this basis, it is recommended that the reports from eight States parties be considered at the fifteenth session. Bearing in mind the criteria of date of submission and geographical balance, the reports of the following States parties should be considered at the fifteenth session:

(a) Initial reports

Cyprus

Ethiopia

Iceland

Paraguay

(b) Second periodic reports

Belgium

Cuba

(c) Third periodic reports

Hungary

Ukraine

643. The initial report of Israel and the third periodic report of the Philippines should be kept in reserve for consideration in the event that one of the States parties listed above is not able to present its report.

2. Dates of the fifteenth session

644. Consistent with the calendar of conferences for 1996, the fifteenth session should be held from 15 January to 2 February 1996 in New York. The pre-session working group would meet from 8 to 12 January 1996.

3. Review of the need for summary records and format of the annual report of the Committee

645. The Committee is of the view that these matters should be further discussed in the future. The suggestion to discontinue the summaries of the presentation made by the representative of the State party, of the general observations made by the Committee and of all the questions raised and replies given under each article of the Convention, maintaining only extensive concluding comments by the Committee, would require more meetings and working time. In the light of the existing time constraints under which the Committee operates, the present format of the annual report should be retained. The Committee also decides that the summary records should be retained for the time being.

4. Issues raised by the 5th meeting of persons chairing the human rights treaty bodies, particularly the question of the venue of the Committee's session and the location of its secretariat (A/49/537, annex, para. 51)

646. Since the World Conference on Human Rights has determined that women's rights are human rights and that all treaty bodies should be placed in the same framework, it is recommended that the Committee be located at Geneva, with appropriate and adequate servicing provided by the Centre for Human Rights of the Secretariat, and by the Division for the Advancement of Women as concerns relevant information on the Commission on the Status of Women, and other relevant information.

5. Funding for activities undertaken by the Chairperson between sessions of the Committee

647. Recognizing that the Chairperson or other member designated for the purpose should attend meetings in pursuance of the mandates of the Committee, which

should therefore be funded from the regular budget of the United Nations, the Committee recommends that the following meetings be attended in any given year:

(a) The Commission on the Status of Women;

(b) Any meeting of States parties to the Convention;

(c) The Third Committee of the General Assembly during its deliberation on the report of the Committee;

(d) A maximum of two meetings per year of other human rights treaty bodies which might be relevant to the ongoing work of the Committee, based on the agendas of those bodies;

(e) Any United Nations world conference relevant to the work of the Committee (in 1995, the World Summit for Social Development).

648. With regard to the problem of reimbursing extraordinary expenses of the Chairperson, the Committee endorses the recommendation made in paragraph 48 of the report of the 5th meeting of chairpersons of treaty bodies (A/49/537) for the establishment of a fund to provide for such expenses.

6. Procedure for examination of reports of States parties, including procedure for and content of notification of States parties concerning the consideration of the reports

649. Given the decision to allocate two and a half meetings for the consideration of reports of States parties, the Committee further decides that no formal time-limit be placed on the introduction of States parties reports, since the main objective is to have a dialogue with a State party and a time-limit might inhibit the State's presentation. However, the Secretariat is requested to inform States parties of the Committee's time constraints. For the present, the Committee will continue with its existing procedures for examination of reports of States parties.

7. Technical and administrative arrangements concerning the participation of members of the Committee at the Fourth World Conference on Women and their role at the Conference

650. The Committee takes note with satisfaction of the decision of the Commission on the Status of Women at its thirty-sixth session to invite the members of the Committee to participate in the Conference. It requests the Secretary-General to take steps to enable the Committee to contribute actively to the work of the Conference and, accordingly:

(a) To provide the Chairperson of the Committee with the opportunity to introduce at the Conference plenary the report produced by the Committee;

(b) To allocate time and space to allow the Committee to hold two workshops, one in conjunction with the United Nations Educational, Scientific and Cultural Organization, and the other on ways and means to publicize the Convention and its implementation at the national, regional and international levels so as to promote women's rights;

(c) To provide documentation for these workshops, including existing public information material and excerpts from the report being presented by the Committee;

(d) To provide a place for the members of the Committee to meet with States parties and others to provide advice and answer questions about the implementation of the Convention;

(e) To arrange for the Committee to hold a press conference during the Conference.

The Committee requests the Chairperson of the Committee to arrange with the Facilitating Committee of the NGO Forum for the Committee members to meet with non-governmental organizations at the Forum.

8. Review of the rules of procedure, including the role of non-governmental organizations

651. In view of the time constraints at the present session, the Committee decides to defer the item to the fifteenth session.

9. Review of the general guidelines for the preparation of initial reports

652. The Committee adopts the revised general guidelines for the preparation of initial reports, as follows:

Guidelines regarding the form and content of initial reports of States parties

1. Under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, each State party undertakes to submit a report on the legislative, judicial, administrative or other measures that it has adopted to give effect to the provisions of the Convention and on the progress made in this respect within one year after the entry into force of the Convention for the reporting State, and thereafter at least every four years as well as whenever the Committee on the Elimination of Discrimination against Women established under the Convention so requests.

2. In order to assist the States parties in fulfilling their obligations under article 18 of the Convention, the Committee recommends that the States parties should follow general guidelines as to the form, content and date of reports. The guidelines are to help ensure that the reports are presented in a uniform manner so that the Committee and the States parties can obtain a complete picture of the implementation of the Convention and the progress made therein.

3. The report should be in two parts. Part I should be prepared in accordance with the consolidated guidelines for the initial part of the reports of States parties to be submitted under the various international human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women, as contained in the annex to document HRI/CORE/1.

4. Part II should provide specific information in relation to each provision of the Convention, in particular:

(a) The constitutional, legislative and administrative provisions or other measures in force;

(b) The developments that have taken place and the programmes and institutions that have been established since the entry into force of the Convention;

(c) Any other information on progress made in the fulfilment of each right;

(d) The de facto position as distinct from the de jure position;

(e) Any restrictions or limitations, even of a temporary nature, imposed by law, practice or tradition or in any other manner on the enjoyment of each right;

(f) The situation of non-governmental organizations and other women's associations and their participation in the elaboration and implementation of plans and programmes of the public authorities.

5. It is recommended that the reports should not be confined to mere lists of legal instruments adopted in the country concerned in recent years but should also include information indicating how these legal instruments are reflected in the actual economic, political and social realities and general conditions existing in their countries. As far as possible, States parties should make efforts to provide all data disaggregated by sex in all areas covered by the Convention and the general recommendations of the Committee.

6. State parties are invited to submit copies of the principal legislative, judicial, administrative and other texts referred to in the report so that these can be made available to the Committee. It should be noted, however, that for reasons of expense those texts will not normally be reproduced for general distribution with the report except to the extent that the reporting State specifically so requests. It is desirable that when a text is not actually quoted in or annexed to the report, the report should contain sufficient information to be understood without reference to the text.

7. The reports should reveal obstacles to the participation of women on an equal basis with men in the political, social, economic and cultural life of their countries and give information on types and frequencies of cases of non-compliance with the principle of equal rights.

8. In reporting on reservations to the Convention:

(a) Each State party that has entered substantive reservations should include information on those reservations in each of its periodic reports;

(b) The State party should indicate why it considered the reservation to be necessary; whether any reservations the State party may or may not have registered on obligations with regard to the same rights set forth in other conventions are consistent with its reservations to the Convention on the Elimination of All Forms of Discrimination against Women; and the

precise effect of the reservation in terms of national law and policy. It should indicate the plans that it has to limit the effect of reservations and ultimately to withdraw them and, whenever possible, specify a timetable for withdrawing them;

(c) States parties that have entered general reservations which do not refer to a specific article of the Convention or reservations to articles 2 and 3 should make a particular effort to report on the effect and interpretation of those reservations. The Committee considers such reservations to be incompatible with the object and purpose of the Convention.

9. The reports and supplementary documentation should be submitted in one of the working languages of the Committee (Arabic, Chinese, English, French, Russian or Spanish) in as concise a form as possible.

10. Any additional views on reservations, following a request of the Subcommission on Prevention of Discrimination and Protection of Minorities

653. The Committee recommends that the decision taken at its thirteenth session on the issue of reservations to the Convention be reiterated to the Subcommission. In addition, it decides to examine reservations made by particular States parties in terms of whether the State party has made the same reservations in relation to other conventions.

11. An integrated management system on human rights (American Association for the Advancement of Science)

654. The Committee takes note of the information provided by the American Association for the Advancement of Science and requests a further progress report at its next session. Ms. Bustelo was designated to act as liaison on behalf of the Committee with the project, and the Secretariat was requested to provide to her any information it may receive on the matter.

12. Link with the focal point on the human rights of women of the Centre for Human Rights

655. The Committee decides to defer action on this item to its next session.

13. Provisional agenda for the fifteenth session

656. The Committee decides to adopt the provisional agenda contained in annex II to the present report.

14. Nomination of members of the pre-session working group

657. The Committee decides that the members of the pre-session working group for the fifteenth session of the Committee and their alternates should be:

Member	Alternate
Ms. Evangelina García-Prince	Ms. Miriam Estrada
Ms. Tendai Ruth Bare	Ms. Kongit Sinegiorgis
Ms. Carmel Shalev	Ms. Carlota Bustelo García del Real
Ms. Aurora Javate de Dios	Ms. Ginko Sato

B. Plan of activities of the Centre for Human Rights of the United Nations Secretariat

658. At the 280th meeting, on 1 February 1995, the representative of the Centre for Human Rights made a statement on behalf of the United Nations High Commissioner for Human Rights, elaborating on the activities undertaken by the Centre (see CEDAW/C/SR.280, paras. 1-15).

C. Presentation of the Special Rapporteur on Violence against Women

659. The Special Rapporteur on Violence against Women of the Commission on Human Rights explained that Commission resolution 1994/45 of 4 March 1994 had mandated her to recommend means of eliminating violence against women, to work together with other special rapporteurs and mechanisms in the human rights area and to consult with the Committee. She had contacted Governments to request information on violence in the family, in the community and violence by the State. She had requested information on national administrative and juridical practice and on programmes related to violence against women, including shelters. Thus far, 29 States, a number of United Nations agencies and a large number of non-governmental organizations had responded. She had prepared a preliminary report, to be considered by the Commission on Human Rights at its fifty-first session, in February, and indicated that subsequent reports would contain detailed recommendations on the elimination of specific forms of violence against women. She stressed that States should reject violence against women and, in accordance with the Declaration on the Elimination of Violence against Women, should not seek to cite tradition or custom as a means of evading their responsibilities in this regard.

660. The Special Rapporteur outlined measures that she proposed to strengthen cooperation between herself and the Committee, including its secretariat. She hoped those parts of country reports which dealt with violence against women would be brought to her attention and that she would be given advance notice of country reports to be submitted so that she could encourage those countries to report on violence against women or pass on to the Committee information that had come to her attention.

661. In their comments on the presentation, members of the Committee noted the prevalence of violence against women in war and drew the attention of the Special Rapporteur to United Nations instruments concerning the special needs of women and children in this context. Others reflected on the interdependence of discrimination against women in general and violence against women in particular, as well as on the secret and taboo nature of violence against women

in the family. Questions were raised as to the resource constraints on the work of the Special Rapporteur, who responded that some budgetary allocations had been made to her from the Economic and Social Council. Members underlined the need for strong cooperation between the Special Rapporteur and the Committee.

D. Presentation of the Gender Statistics Unit of the Statistical Division of the Secretariat

662. A representative of the Gender Statistics Unit of the Statistical Division of the United Nations described the use of statistics in national reports. She indicated that much had been done to improve the use of statistics in the measurement of all rights, although much still needed to be taken into account. The use of statistics in other areas, such as the enforcement of specific legal rights or the measurement of the enforcement of specific legal guarantees, was very difficult. A new edition of the World's Women, the best-selling United Nations sales publication ever, was currently in preparation. It would include sections on violence against women and a ratification chart.

E. Presentation of the Harrison Program on the Future Global Agenda and the American Association for the Advancement of Science

663. A representative of the Harrison Program on the Future Global Agenda and the American Association for the Advancement of Science informed the Committee that he had been instructed by the Chairpersons of the human rights treaty bodies to present them with all needed information and to that end he was preparing a management document related to treaty-monitoring. The Chairpersons had recommended that each of the treaty bodies outline their own information needs. A working relationship has been established with the Economic, Social and Cultural Rights Committee and he was anxious to establish such a link with the Committee on the Elimination of Discrimination against Women.

664. A number of members of the Committee commented on the presentations and suggested that the matters raised by both speakers be explored in working Group I.

VI. IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION

665. At its 263rd meeting, on 17 January, the Committee considered the implementation of article 21 of the Convention (agenda item 7).

666. The item was introduced by the Deputy Director of the Division for the Advancement of Women, who presented the report prepared by the Secretariat (CEDAW/C/1995/4).

A. Action taken by the Committee on the report of Working Group II

667. At its 282nd meeting, on 2 February, the Committee considered the item on the basis of the report of Working Group II.

B. Elements for an optional protocol to the Convention

668. At its 282nd meeting, on 2 February 1995, on the recommendation of Working Group II, the Committee adopted suggestion 7 on elements for an optional protocol to the Convention (for the text see chap. I, sect. B).

C. General recommendations on articles 7 and 8; general recommendation on article 2

669. The Committee decided to postpone consideration of this item to a future session.

D. Document prepared by the United Nations Educational, Scientific and Cultural Organization on the Committee on the Elimination of Discrimination against Women

670. At its 283rd meeting, on 3 February, the Committee considered the UNESCO document on CEDAW. After review and amendment by Working Group II, the Committee adopted the document at a joint UNESCO/CEDAW meeting in November 1994. The Committee requested the Secretariat to ensure the correct translation into Spanish of the text. The Secretariat was further requested to ensure transmission of the final text to UNESCO.

671. The text of the document is reproduced below.

Towards a gender-inclusive culture through education

Preamble

1. Since the adoption of the Convention against Discrimination in Education (1962), the Convention on the Elimination of All Forms of Discrimination against Women (1979) and the Nairobi Forward-looking Strategies for the Advancement of Women (1985), numerous national and international declarations affirm the importance of women's education for political, social and economic life. The World Conference on Education for All (1990) launched an appeal to heads of State and decision-makers for high-level commitment to education and especially for girls and women. The Rio de Janeiro Conference on Environment and Development (1992) stressed women's roles in the protection of the environment. The Cairo Conference on Population and Development in 1994 showed the correlation between women's education, reproductive rights and control of population growth. The United Nations Decade on Education for Human Rights, which began on 1 January 1995, gives priority to gender equality. The Social Summit of Copenhagen (1995) puts educational opportunities for women and girls once more to the forefront. It is in this context that the Committee on the Elimination of Discrimination against Women and UNESCO reaffirm their belief in the universal value of education for a gender-inclusive culture world wide.

2. Where do we stand?

3. Women exceed 60 per cent of the more than 1 billion adults who have had no access to basic education and girls make up the majority of the more than 130 million children who have not had access to primary schooling. Economic necessity, the weight of tradition, early marriages and early pregnancies often force girls to drop out of school at higher rates than boys before they complete their first cycle of education. In secondary education in developing countries, the percentage of girls is much lower than that of boys. Moreover even in developed countries they are obviously less well represented in technical and scientific education. At the level of higher education, women are mostly concentrated in courses of shorter duration in both industrialized and developing countries. In higher education and research more women participate in the humanities and literature than in science and technology. While women enter the teaching profession in increasing numbers and often constitute a majority in both developing and industrialized countries, they rarely attain high-level administrative positions.

4. Each aspect of gender inequality is exacerbated for women in rural areas. Girls and women are victims of additional discrimination at all levels of formal education. This additional discrimination particularly affects vulnerable groups, such as women in poverty, women heads of households, disabled or elderly women, women belonging to ethnic minorities, migrants, immigrants, refugee and displaced women and women living in situations of extreme discrimination such as violence, slavery or

prostitution. These groups of women have practically no opportunity to acquire an education.

5. The present international context is marked by a continuing world economic crisis, by policies of structural adjustment and debt repayment imposed upon a very large number of countries as well as by the ascendancy of economic competitiveness over concerns relating to social justice. In many countries, programmes promoting equality of opportunity for women and men and the strengthening of women's capacities are non-existent or are not implemented for lack of the necessary resources or political commitment and as a consequence of male-centred policies. It is widely accepted that there is a close link between the level of participation of women and the development of these countries. Consequently, the disparity between women and men is one of the factors that aggravates the disparities between poor countries and rich ones.

6. Faced with this persistent discrimination against women and the resultant waste of human resources, the Committee and UNESCO consider that it is urgent for the international community to reaffirm as a fundamental human right the decisive role played by education for women and for it to adopt clear and well-defined principles of action. Education is a necessary precondition for women's full and effective exercise of their right to citizenship. Education for all is the best way of establishing a culture of equality which is necessary for democracy, tolerance and an international peace based on justice and the recognition that all human beings are born free and equal.

Principles for action

7. The right to education is a fundamental human right that must be guaranteed to all women and men by the State as a public service. Education is one of the inalienable rights of the human being. It is also one of the necessary preconditions that enable women to gain confidence in themselves and to have access to other rights: equality before the law, political participation and freedom of vote, freedom of thought and opinion, the right to work and the right to leisure. Only the State can guarantee the long-term commitment needed for the fulfilment of the right to education.

8. Separate is rarely equal. Girls and women should have access on an equal footing with boys and men to all levels and forms of education. Cultural, family or religious pressure for separate forms of education should not be tolerated. This does not mean that special temporary measures should not be adopted when necessary to attain real equality and thus give equal opportunities to women and girls. Generally, however, girls and boys, women and men must interact in the freedom of the school so as to learn and to practice equality of the sexes and to have equal opportunities to participate at all levels of teaching, administration and management of teaching.

9. The acquisition of basic literacy and numeracy is essential to achieve the empowerment of all citizens and especially to strengthen the capacities of girls and women. Literacy training for women must be ensured through funding of long-term national programmes that respond to needs identified with and by women and which take into account their concerns. Women's time is limited by the multiple responsibilities of production and reproduction.

Non-formal education programmes should be designed to be of benefit to the daily lives and responsibilities of women.

10. An education policy that provides lifelong education for women from early childhood to adulthood and takes into account the varying stages in women's life cycles should be developed. This ongoing education should provide direct access to employment and mainstream accreditation at any time. All non-formal and parallel education should provide access to primary, secondary and higher education, and moreover should be generally recognized as having the same value in providing access to the work market as formal education does. Without economic empowerment, women are not able to exercise their rights.

11. Means of ensuring that larger numbers of girls and women enter the fields of non-traditional scientific and technological education should be explored and implemented. This will enable them not only to take advantage of scientific and technological advances so far as they relate to issues of gender, but also to join the varied professions that require sound scientific and technical knowledge, such as research, teaching, engineering and as technicians, and to enjoy an identical career path with men.

12. Non-discriminatory gender inclusion is fundamental to the organization, structure and content both of the development and of the transmission of all learning through education. Books, programmes, teacher training and teaching material should be revised to eliminate all sexist stereotyping taking into account the contributions of women's studies programmes. All social action in education should be devoted to ensuring that pupils, teachers, head teachers and administrators are exposed to, trained and involved in the changing values that promote equality and tolerance of diversity. These initiatives should be reinforced by families, the media and associations in order to ensure that there is an ongoing transition towards a democratic, pluralistic and just society capable of guaranteeing respect for the fundamental rights of each human being, irrespective of gender.

13. Legal literacy, health and reproductive rights are the foundation of women's autonomy and enable them to exercise the rights and responsibilities of citizenship. Education of the rights of women provides them not only with legal knowledge, but also gives them a practical means of achieving formal equality and access to national and international law. Health services should be freely available to all women from young children to adults. All aspects of family planning and women's sexual and reproductive health should be an integral part of these services.

14. Education for gender equality is a vital means of combating violence throughout the world. It is through teaching the values of peace, dialogue, equality and respect for the dignity of all human beings, including women, that violence in the family, in public life and among States can be effectively combated.

VII. CONTRIBUTIONS OF THE COMMITTEE TO INTERNATIONAL CONFERENCES

A. Fourth World Conference on Women

672. At its 266th and 282nd meetings, on 19 January and 2 February 1995, respectively, the Deputy Director of the Division for the Advancement of Women introduced the report of the Committee on progress achieved in the implementation of the Convention (CEDAW/C/1995/7) prepared for the fourth World Conference on Women. He recalled that that contribution had also been prepared by the secretariat on behalf of the Committee for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women held at Nairobi in 1985 and the General Assembly had mandated the preparation of the current document, after which the Committee had agreed to prepare it during its twelfth session and had established guidelines for its preparation by the secretariat at its thirteenth session.

673. The Committee took note of the document prepared by the Secretariat (CEDAW/C/1995/7) containing a first draft of the Committee's contribution to the Fourth World Conference on Women. While the Committee expressed its appreciation for the work done by the Secretariat, it felt that the draft did not fully comply with the guidelines given by the Committee at its thirteenth session. Some of the information contained in the document was considered to be of limited relevance to the request the Committee had put to the Secretariat concerning the structure of its contribution, while other parts seemed to be too technical and provide too much detail for the target audience. The Committee also considered the proposals regarding the redrafting of the document put forward by a consultant to the Secretariat.

674. The Committee decided that its contribution to the Conference would consist of the following two documents:

(a) The first would be a document prepared in accordance with the guidelines provided by the Committee at its thirteenth session. The document would be concise, readable and intended to reach a broad audience. It would situate the Convention and the Committee's work within the human rights framework, stress the Committee's achievements and aim at universal ratification without reservations by the year 2000. It would stress the role of the Convention and of the Committee in highlighting and developing women's rights. Finally, it would present a forward-looking view of the Committee's role in the promotion and protection of women's rights in the twenty-first century;

(b) The second document would utilize the information contained in the draft prepared by the Secretariat, which would be edited and streamlined in accordance with instructions provided by the Working Group, and serve as background and reference material.

675. The Committee decided to adopt its contribution to the Fourth World Conference on Women and authorized its Chairperson to finalize the text of the Committee's contribution, in consultation with the members of the Committee, such consultation to take place, inter alia, at the informal meeting of the Committee scheduled to take place from 24 to 28 April 1995 at Madrid.

B. The Committee's input to the World Summit for Social Development

676. The Committee noted that, in accordance with the rules of procedure for the event, the Committee or its representative would not be able to play an official role at the Summit. Nevertheless, given the importance for women of the issues to be discussed at the Summit, the Committee proposes that, as its contribution to the Summit, the Rapporteur of the Committee will participate and represent the Committee in events such as round tables and workshops on women's human rights being organized by non-governmental organizations and other groups in conjunction with the Summit.

C. Follow-up to the International Conference on Population and Development

677. At its 282nd meeting, on 2 February 1995, the Committee, on the basis of the report of Working Group II, adopted suggestion 8 on follow-up to the International Conference on Population and Development (for the text, see chap. I, sect. B).

678. The Committee also heard a statement by Dr. Nafis Sadik, Executive Director of the United Nations Population Fund (UNFPA) and Secretary-General of the International Conference on Population and Development. She pointed out that one of the achievements of that Conference had been the clear recognition of the need to empower women, to ensure gender equality and to place human rights, especially women's rights, at the centre of population and development policies and programmes. The Conference's Programme of Action reinforced and amplified in many ways the Convention on the Elimination of All Forms of Discrimination against Women. As one example where the Programme of Action supported the Convention, she referred to health and family planning, mentioned in articles 12, 14 and 16 of the Convention. The quantitative goals set by the Programme of Action in areas such as education, mortality reduction and reproductive health were directly in support of gender equality and opportunities for women. She encouraged members of the Committee to contribute to the implementation of the Programme of Action through their own work, their standing in their communities and participation in non-governmental organizations, and by influencing policy-making processes.

679. Members thanked the Executive Director for her statement, for the important work she had accomplished and for the remarkable role she had played in the preparation and conduct of the Conference. The importance of the Convention as the first and only international human rights instrument to include family planning and reproductive rights as fundamental rights, and the importance assigned to those matters in the Programme of Action of the International Conference on Population and Development were stressed. Members expressed their interest in collaborating with UNFPA on issues of common interest. In that regard, members of the Committee proposed to convene, in cooperation with UNFPA, a working group consisting of members of the Committee and of other human rights treaty bodies to develop further the jurisprudence with regard to family planning, reproductive rights and reproductive health in the framework of international human rights instruments and the Programme of Action of the International Conference on Population and Development. The Executive Director expressed her willingness to consider supporting such a project.

VIII. PROVISIONAL AGENDA FOR THE FIFTEENTH SESSION OF THE COMMITTEE

680. At its 281st meeting, on 3 February 1995 the Committee considered the provisional agenda for its fifteenth session (agenda item 10).

681. At its 281st meeting, on the basis of the report of Working Group I, the Committee decided to approve the following provisional agenda:

1. Opening of the session.

2. Adoption of the agenda and organization of work.

3. Report of the Chairperson on the activities undertaken during the year.

4. Consideration of reports submitted by States parties under article 18 of the Convention.

   Documentation

   Report of the Secretary-General on the status of submission of reports by States parties under article 18 of the Convention.

   Reports of States parties to be considered at the fifteenth session.

5. Implementation of article 21 of the Convention.

   Documentation

   Note by the Secretary-General on reports provided by specialized agencies.

   Report of the Secretariat on analysis of article 4 of the Convention.

6. Ways and means of expediting the work of the Committee.

   Documentation

   Report of the Secretariat on ways and means of expediting the work of the Committee.

7. Results of the Fourth World Conference on Women.

8. Provisional agenda for the sixteenth session.

9. Adoption of the report of the Committee on its fifteenth session.

IX. ADOPTION OF THE REPORT

682. At its 284th meeting, on 3 February 1995, the Committee adopted the report on its fourteenth session (CEDAW/C/1995/L.1 and Add.1-12), as orally amended.

Notes

1/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

2/ See A/45/636, annex; A/47/628, annex; and A/49/537, annex.

3/ See Official Records of the Economic and Social Council, 1994, Supplement No. 7 (E/1994/27), chap. I.C.

4/ Ibid., Supplement No. 4 (E/1994/24), chap. II.A.

5/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 38 (A/49/38), chap. I, sect. C.2.

6/ See Official Records of the General Assembly, Forty-fifth Session, Supplement No. 38 and corrigendum (A/45/38 and Corr.1), paras. 28-31.

7/ At its tenth session, the Committee had decided that, if States parties whose reports were overdue by the conclusion of that session so wished, they could submit a combined report to the Committee and that such reports should be numbered by the Secretariat in a way that facilitated their identification (Official Records of the General Assembly, Forty-sixth Session, Supplement No. 38 (A/46/38), para. 370).

8/ See Official Records of the General Assembly, Forty-fifth Session, Supplement No. 38 and corrigendum (A/45/38 and Corr.1), paras. 28-31.

9/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 38 (A/48/38), chap. I, sect. B.

10/ Ibid., Forty-ninth Session, Supplement No. 38 (A/49/38), chap. I, sect. B.

ANNEX I

States parties to the Convention on the Elimination of All Forms of Discrimination against Women as at 3 February 1995

States parties	Date of receipt of the instrument of ratification or accession	Date of entry into force
Albania	11 May 1994 a/	10 June 1994
Angola	17 September 1986 a/	17 October 1986
Antigua and Barbuda	1 August 1989 a/	31 August 1989
Argentina	15 July 1985 b/	14 August 1985
Armenia	13 September 1993 a/	13 October 1993
Australia	28 July 1983 b/	27 August 1983
Austria	31 March 1982 b/	30 April 1982
Bahamas	6 October 1993 a/	5 November 1993
Bangladesh	6 November 1984 a/, b/	6 December 1984
Barbados	16 October 1980	3 September 1981
Belarus	4 February 1981 c/	3 September 1981
Belgium	10 July 1985 b/	9 August 1985
Belize	16 May 1990	15 June 1990
Benin	12 March 1992	11 April 1992
Bhutan	31 August 1981	30 September 1981
Bolivia	8 June 1990	8 July 1990
Bosnia and Herzegovina	1 September 1993 d/	1 October 1993
Brazil	1 February 1984 b/	2 March 1984
Bulgaria	8 February 1982 c/	10 March 1982
Burkina Faso	14 October 1987 a/	13 November 1987
Burundi	8 January 1992	7 February 1992
Cambodia	15 October 1992 a/	14 November 1992
Cameroon	23 August 1994 a/	22 September 1994
Canada	10 December 1981 c/	9 January 1982
Cape Verde	5 December 1980 a/	3 September 1981
Central African Republic	21 June 1991 a/	21 July 1991
Chile	7 December 1989	6 January 1990
China	4 November 1980 b/	3 September 1981
Colombia	19 January 1982	18 February 1982
Comoros	31 October 1994 a/	30 November 1994
Congo	26 July 1982	25 August 1982
Costa Rica	4 April 1986	4 May 1986
Croatia	9 September 1992 d/	9 October 1992
Cuba	17 July 1980 b/	3 September 1981
Cyprus	23 July 1985 a/, b/	22 August 1985
Czech Republic e/	22 February 1993 c/, d/	24 March 1993
Denmark	21 April 1983	21 May 1983
Dominica	15 September 1980	3 September 1981
Dominican Republic	2 September 1982	2 October 1982
Ecuador	9 November 1981	9 December 1981
Egypt	18 September 1981 b/	18 October 1981
El Salvador	19 August 1981 b/	18 September 1981
Equatorial Guinea	23 October 1984 a/	22 November 1984
Estonia	21 October 1991 a/	20 November 1991
Ethiopia	10 September 1981 b/	10 October 1981

States parties	Date of receipt of the instrument of ratification or accession	Date of entry into force
Finland	4 September 1986	4 October 1986
France	14 December 1983 b/, c/	13 January 1984
Gabon	21 January 1983	20 February 1983
Gambia	16 April 1993	16 May 1993
Germany f/	10 July 1985 b/	9 August 1985
Georgia	26 October 1994 a/	25 November 1994
Ghana	2 January 1986	1 February 1986
Greece	7 June 1983	7 July 1983
Grenada	30 August 1990	29 September 1990
Guatemala	12 August 1982	11 September 1982
Guinea	9 August 1982	8 September 1982
Guinea-Bissau	23 August 1985	22 September 1985
Guyana	17 July 1980	3 September 1981
Haiti	20 July 1981	3 September 1981
Honduras	3 March 1983	2 April 1983
Hungary	22 December 1980 c/	3 September 1981
Iceland	18 June 1985	18 July 1985
India	9 July 1993 b/	8 August 1993
Indonesia	13 September 1984 b/	13 October 1984
Iraq	13 August 1986 a/, b/	12 September 1986
Ireland	23 December 1985 a/, b/, c/	22 January 1986
Israel	3 October 1991 b/	2 November 1991
Italy	10 June 1985 b/	10 July 1985
Jamaica	19 October 1984 b/	18 November 1984
Japan	25 June 1985	25 July 1985
Jordan	1 July 1992 b/	31 July 1992
Kenya	9 March 1984 a/	8 April 1984
Kuwait	2 September 1994 a/	2 October 1994
Lao People's Democratic Republic	14 August 1981	13 September 1981
Latvia	14 April 1992 a/	14 May 1992
Liberia	17 July 1984 a/	16 August 1984
Libyan Arab Jamahiriya	16 May 1989 a/, b/	15 June 1989
Lithuania	18 January 1994 a/	17 February 1994
Luxembourg	2 February 1989 b/	4 March 1989
Macedonia	18 January 1994 d/	17 February 1994
Madagascar	17 March 1989	16 April 1989
Malawi	12 March 1987 a/, c/	11 April 1987
Maldives	1 July 1993 a/, b/	31 July 1993
Mali	10 September 1985	10 October 1985
Malta	8 March 1991 a/, b/	7 April 1991
Mauritius	9 July 1984 a/, b/	8 August 1984
Mexico	23 March 1981 b/	3 September 1981
Mongolia	20 July 1981 c/	3 September 1981
Morocco	21 June 1993 a/, b/	21 July 1993
Namibia	23 November 1992 a/	23 December 1992
Nepal	22 April 1991	22 May 1991
Netherlands	23 July 1991 b/	22 August 1991
New Zealand	10 January 1985 b/, c/	9 February 1985
Nicaragua	27 October 1981	26 November 1981
Nigeria	13 June 1985	13 July 1985

States parties	Date of receipt of the instrument of ratification or accession	Date of entry into force
Norway	21 May 1981	3 September 1981
Panama	29 October 1981	28 November 1981
Papua New Guinea	12 January 1995 a/	11 February 1995
Paraguay	6 April 1987 a/	6 May 1987
Peru	13 September 1982	13 October 1982
Philippines	5 August 1981	4 September 1981
Poland	30 July 1980 b/	3 September 1981
Portugal	30 July 1980	3 September 1981
Republic of Korea	27 December 1984 b/, c/	26 January 1985
Republic of Moldova	1 July 1994 a/	31 July 1994
Romania	7 January 1982 b/	6 February 1982
Russian Federation	23 January 1981 c/	3 September 1981
Rwanda	2 March 1981	3 September 1981
Saint Kitts and Nevis	25 April 1985 a/	25 May 1985
Saint Lucia	8 October 1982 a/	7 November 1982
Saint Vincent and the Grenadines	4 August 1981 a/	3 September 1981
Samoa	25 September 1992 a/	25 October 1992
Senegal	5 February 1985	7 March 1985
Seychelles	5 May 1992 a/	4 June 1992
Sierra Leone	11 November 1988	11 December 1988
Slovakia e/	28 May 1993 c/, d/	27 June 1993
Slovenia	6 July 1992 d/	5 August 1992
Spain	5 January 1984 b/	4 February 1984
Sri Lanka	5 October 1981	4 November 1981
Suriname	1 March 1993 a/	31 March 1993
Sweden	2 July 1980	3 September 1981
Tajikistan	26 October 1993 a/	25 November 1993
Thailand	9 August 1985 a/, b/, c/	8 September 1985
The former Yugoslav Republic of Macedonia	18 January 1994 d/	17 February 1994
Togo	26 September 1983 a/	26 October 1983
Trinidad and Tobago	12 January 1990 b/	11 February 1990
Tunisia	20 September 1985 b/	20 October 1985
Turkey	20 December 1985 a/, b/	19 January 1986
Uganda	22 July 1985	21 August 1985
Ukraine	12 March 1981 c/	3 September 1981
United Kingdom of Great Britain and Northern Ireland	7 April 1986 b/	7 May 1986
United Republic of Tanzania	20 August 1985	19 September 1985
Uruguay	9 October 1981	8 November 1981
Venezuela	2 May 1983 b/	1 June 1983
Viet Nam	17 February 1982 b/	19 March 1982
Yemen g/	30 May 1984 a/, b/	29 June 1984
Yugoslavia	26 February 1982	28 March 1982
Zaire	17 October 1986	16 November 1986
Zambia	21 June 1985	21 July 1985
Zimbabwe	13 May 1991 a/	12 June 1991

(Footnotes on following page)

(Footnotes to annex I)

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a/ Accession.

b/ Declarations and reservations.

c/ Reservation subsequently withdrawn.

d/ Succession.

e/ Before becoming separate States on 1 January 1993, the Czech Republic and Slovakia formed part of Czechoslovakia, which State had ratified the Convention on 16 February 1982.

f/ With effect from 3 October 1990, the German Democratic Republic (which ratified the Convention on 9 July 1980) and the Federal Republic of Germany (which ratified the Convention on 10 July 1985) united to form one sovereign State, which acts in the United Nations under the designation "Germany".

g/ On 22 May 1990 Democratic Yemen and Yemen merged to form a single State, which acts in the United Nations under the designation "Yemen".

ANNEX II

Membership of the Committee on the Elimination of Discrimination against Women

Name of member	Country of nationality
Charlotte Abaka**	Ghana
Emna Aouij**	Tunisia
Gül Aykor*	Turkey
Tendai Ruth Bare**	Zimbabwe
Desiree Patricia Bernard**	Guyana
Carlota Bustelo Garcia del Real*	Spain
Silvia Rose Cartwright*	New Zealand
Miriam Yolanda Estrada Castillo**	Ecuador
Liliana Gurdulich de Correa*	Argentina
Ivanka Corti**	Italy
Aurora Javate de Dios**	Philippines
Evangelina García-Prince*	Venezuela
Sunaryati Hartono**	Indonesia
Salma Khan*	Bangladesh
Pirkko Anneli Mäkinen*	Finland
Elsa Victoria Muñoz-Gómez*	Colombia
Ahoua Ouedraogo*	Burkina Faso
Ginko Sato**	Japan
Hanna Beate Schöpp-Schilling*	Germany
Carmel Shalev**	Israel
Lin Shangzhen**	China
Kongit Sinegiorgis*	Ethiopia
Mervat Tallawy**	Egypt

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* Term of office expires in 1996.

** Term of office expires in 1998.

ANNEX III

Documents before the Committee at its fourteenth session

Document number	Title or description
CEDAW/C/1995/1	Provisional agenda and annotations
CEDAW/C/1995/2	Report of the Secretary-General on the status of submission of reports by States parties under article 18 of the Convention
CEDAW/C/1995/3	Note by the Secretary-General on reports of specialized agencies on the implementation of the Convention in areas falling within the scope of their activities
CEDAW/C/1995/3/Add.2	Report of the International Labour Organization
CEDAW/C/1995/3/Add.3	Report of the United Nations Educational, Scientific and Cultural Organization
CEDAW/C/1995/3/Add.4	Report of the Food and Agriculture Organization of the United Nations
CEDAW/C/1995/4	Report of the Secretariat on the analysis of article 2 of the Convention
CEDAW/C/1995/5	Report of the Secretariat on the implications for work of the Committee of the priority themes of the Commission on the Status of Women
CEDAW/C/1995/6	Report of the Secretariat on ways and means of improving the work of the Committee
CEDAW/C/1995/7	Report of the Secretariat on progress achieved in the implementation of the Convention
CEDAW/C/1995/CRP.1	Report of the Pre-session Working Group
CEDAW/C/1995/INF.1/Rev.1	List of participants
CEDAW/C/1995/L.1 and Add.1-12	Draft report of the Committee
CEDAW/C/1995/WP.3-12	Concluding comments of the Committee on the reports of the States parties
CEDAW/C/1994/WP.2/Add.1, 12/Add.1, 13/Add.1, 14/Add.1	General comments of the Committee on the reports of Australia, Colombia, Guyana, Japan
CEDAW/C/1995/WG.I/WP.1	An optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women

Document number	Title or description
CEDAW/C/1995/WG.I/WP.2 and Add.1 and 2	Report of Working Group I
CEDAW/C/1995/WG.II/WP.1, 2 and Add.1	Report of Working Group II

Reports of States parties

CEDAW/C/1995/BOL/1 and Add.1	Initial report of Bolivia
CEDAW/C/CHI/1	Initial report of Chile
CEDAW/C/FIN/2	Second periodic report of Finland
CEDAW/C/MAR/1-2	Combined initial and second periodic reports of Mauritius
CEDAW/C/NOR/3	Third periodic report of Norway
CEDAW/C/NOR/4	Fourth periodic report of Norway
CEDAW/C/13/Add.29	Second periodic report of Peru
CEDAW/C/USR/3	Third periodic report of the Russian Federation
CEDAW/C/USR/4	Fourth periodic report of the Russian Federation
CEDAW/C/TUN/1-2	Combined initial and second periodic reports of Tunisia
CEDAW/C/UGA/1-2 and Add.1	Combined initial and second periodic reports of Uganda
CEDAW/C/CRO/SP.1	Report submitted on an exceptional basis by Croatia

ANNEX IV

Status of submission and consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women as at 3 February 1995

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
	A. Initial reports due as at 3 February 1995		
Angola	17 October 1987		
Antigua and Barbuda	31 August 1990	21 September 1994 (CEDAW/C/ANT/1-3)	
Argentina	14 August 1986	6 October 1986 (CEDAW/C/5/Add.39)	Seventh (1988)
Armenia	13 October 1994	30 November 1994 (CEDAW/C/ARM/1)	
Australia	27 August 1984	3 October 1986 (CEDAW/C/5/Add.40)	Seventh (1988)
Austria	30 April 1983	20 October 1983 (CEDAW/C/5/Add.17)	Fourth (1985)
Bahamas	5 November 1994		
Bangladesh	6 December 1985	12 March 1986 (CEDAW/C/5/Add.34)	Sixth (1987)
Barbados	3 September 1982	11 April 1990 (CEDAW/C/5/Add.64)	Eleventh (1992)
Belarus	3 September 1982	4 October 1982 (CEDAW/C/5/Add.5)	Second (1983)
Belgium	9 August 1986	20 July 1987 (CEDAW/C/5/Add.53)	Eighth (1989)
Belize	15 June 1991		
Benin	11 April 1993		
Bhutan	30 September 1982		
Bolivia	8 July 1991	8 July 1991 (CEDAW/C/BOL/1) 26 August 1993 (CEDAW/C/BOL/1/Add.1)	Fourteenth (1995)
Bosnia and Herzegovina	1 October 1994		
Brazil	2 March 1985		
Bulgaria	10 March 1983	13 June 1983 (CEDAW/C/5/Add.15)	Fourth (1985)

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
Burkina Faso	13 November 1988	24 May 1990 (CEDAW/C/5/Add.67)	Tenth (1991)
Burundi	7 February 1993		
Cambodia	14 November 1993		
Canada	9 January 1983	15 July 1983 (CEDAW/C/5/Add.16)	Fourth (1985)
Cape Verde	3 September 1982		
Central African Republic	21 July 1992		
Chile	6 January 1991	3 September 1991 (CEDAW/C/CHI/1)	Fourteenth (1995)
China	3 September 1982	25 May 1983 (CEDAW/C/5/Add.14)	Third (1984)
Colombia	18 February 1983	16 January 1986 (CEDAW/C/5/Add.32)	Sixth (1987)
Congo	25 August 1983		
Costa Rica	4 May 1987		
Croatia	9 October 1993	10 January 1995 (CEDAW/C/CRO/1)	
Cuba	3 September 1982	27 September 1982 (CEDAW/C/5/Add.4)	Second (1983)
Cyprus	22 August 1986	2 February 1994 (CEDAW/C/CYP/1-2)	
Czech Republic	24 March 1994		
Denmark	21 May 1984	30 July 1984 (CEDAW/C/5/Add.22)	Fifth (1986)
Dominica	3 September 1982		
Dominican Republic	2 October 1983	2 May 1986 (CEDAW/C/5/Add.37)	Seventh (1988)
Ecuador	9 December 1982	14 August 1984 (CEDAW/C/5/Add.23)	Fifth (1986)
Egypt	18 October 1982	2 February 1983 (CEDAW/C/5/Add.10)	Third (1984)
El Salvador	18 September 1982	3 November 1983 (CEDAW/C/5/Add.19)	Fifth (1986)
Equatorial Guinea	22 November 1985	16 March 1987 (CEDAW/C/5/Add.50)	Eighth (1989)
Estonia	20 November 1992		

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
Ethiopia	10 October 1982	22 April 1993 (CEDAW/C/ETH/1-3)	
Finland	4 October 1987	16 February 1988 (CEDAW/C/5/Add.56)	Eighth (1989)
France	13 January 1985	13 February 1986 (CEDAW/C/5/Add.33)	Sixth (1987)
Gabon	20 February 1984	19 June 1987 (CEDAW/C/5/Add.54)	Eighth (1989)
Gambia	16 May 1994		
Germany	9 August 1986	15 September 1988 (CEDAW/C/5/Add.59)	Ninth (1990)
Ghana	1 February 1987	29 January 1991 (CEDAW/C/GHA/1-2)	Eleventh (1992)
Greece	7 July 1984	5 April 1985 (CEDAW/C/5/Add.28)	Sixth (1987)
Grenada	29 September 1991		
Guatemala	11 September 1983	2 April 1991 (CEDAW/C/GUA/1-2 and Corr.1) 7 April 1993 (CEDAW/C/GUA/1-2/ Amend.1)	Thirteenth (1994) Thirteenth (1994)
Guinea	8 September 1983		
Guinea-Bissau	22 September 1986		
Guyana	3 September 1982	23 January 1990 (CEDAW/C/5/Add.63)	Thirteenth (1994)
Haiti	3 September 1982		
Honduras	2 April 1984	3 December 1986 (CEDAW/C/5/Add.44)	Eleventh (1992)
Hungary	3 September 1982	20 September 1982 (CEDAW/C/5/Add.3)	Third (1984)
Iceland	18 July 1986	5 May 1993 (CEDAW/C/ICE/1-2)	
India	8 August 1994		
Indonesia	13 October 1985	17 March 1986 (CEDAW/C/5/Add.36)	Seventh (1988)
Iraq	12 September 1987	16 May 1990 (CEDAW/C/5/Add.66/Rev.1)	Twelfth (1993)
Ireland	22 January 1987	18 February 1987 (CEDAW/C/5/Add.47)	Eighth (1989)

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
Israel	2 November 1992	12 January 1994 (CEDAW/C/ISR/1)	
Italy	10 July 1986	20 October 1989 (CEDAW/C/5/Add.62)	Tenth (1991)
Jamaica	18 November 1985	12 September 1986 (CEDAW/C/5/Add.38)	Seventh (1988)
Japan	25 July 1986	13 March 1987 (CEDAW/C/5/Add.48)	Seventh (1988)
Jordan	31 July 1993		
Kenya	8 April 1985	4 December 1990 (CEDAW/C/KEN/1-2)	Twelfth (1993)
Lao People's Democratic Republic	13 September 1982		
Latvia	14 May 1993		
Liberia	16 August 1985		
Libyan Arab Jamahiriya	15 June 1990	18 February 1991 (CEDAW/C/LIB/1) 4 October 1993 (CEDAW/C/LIB/1/Add.1)	Thirteenth (1994) Thirteenth (1994)
Luxembourg	4 March 1990		
Madagascar	16 April 1990	21 May 1990 (CEDAW/C/5/Add.65) 8 November 1993 (CEDAW/C/5/Add.65/Rev.2)	 Thirteenth (1994)
Malawi	11 April 1988	15 July 1988 (CEDAW/C/5/Add.58)	Ninth (1990)
Maldives	1 July 1994		
Mali	10 October 1986	13 November 1986 (CEDAW/C/5/Add.43)	Seventh (1988)
Malta	7 April 1992		
Mauritius	8 August 1985	23 February 1992 (CEDAW/C/MAR/1-2)	Fourteenth (1995)
Mexico	3 September 1982	14 September 1982 (CEDAW/C/5/Add.2)	Second (1983)
Mongolia	3 September 1982	18 November 1983 (CEDAW/C/5/Add.20)	Fifth (1986)
Morocco	21 July 1994	14 September 1994 (CEDAW/C/MOR/1)	
Namibia	23 December 1993		

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
Nepal	22 May 1992		
Netherlands	22 August 1992	19 November 1992 (CEDAW/C/NET/1) 17 September 1993 CEDAW/C/NET/1/Add.1 20 September 1993 (CEDAW/C/NET/1/Add.2) 9 October 1993 CEDAW/C/NET/1/Add.3	Thirteenth (1994)
New Zealand	9 February 1986	3 October 1986 (CEDAW/C/5/Add.41)	Seventh (1988)
Nicaragua	26 November 1982	22 September 1987 (CEDAW/C/5/Add.55)	Eighth (1989)
Nigeria	13 July 1986	1 April 1987 (CEDAW/C/5/Add.49)	Seventh (1987)
Norway	3 September 1982	18 November 1982 (CEDAW/C/5/Add.7)	Third (1984)
Panama	28 November 1982	12 December 1982 (CEDAW/C/5/Add.9)	Fourth (1985)
Paraguay	6 May 1988	4 June 1992 (CEDAW/C/PAR/1-2)	
Peru	13 October 1983	14 September 1988 (CEDAW/C/5/Add.60)	Ninth (1990)
Philippines	4 September 1982	22 October 1982 (CEDAW/C/5/Add.6)	Third (1984)
Poland	3 September 1982	10 October 1985 (CEDAW/C/5/Add.31)	Sixth (1987)
Portugal	3 September 1982	19 July 1983 (CEDAW/C/5/Add.21)	Fifth (1986)
Republic of Korea	26 January 1986	13 March 1986 (CEDAW/C/5/Add.35)	Sixth (1987)
Romania	6 February 1983	14 January 1987 (CEDAW/C/5/Add.45)	Twelfth (1993)
Russian Federation	3 September 1982	2 March 1983 (CEDAW/C/5/Add.12)	Second (1983)
Rwanda	3 September 1982	24 May 1983 (CEDAW/C/5/Add.13)	Third (1984)
Saint Kitts and Nevis	25 May 1986		
Saint Lucia	7 November 1983		

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
Saint Vincent and the Grenadines	3 September 1982	27 September 1991 (CEDAW/C/STV/1-3)	
Samoa	25 October 1993		
Senegal	7 March 1986	5 November 1986 (CEDAW/C/5/Add.42)	Seventh (1988)
Seychelles	4 June 1993		
Sierra Leone	11 December 1989		
Slovakia	27 June 1994		
Slovenia	5 August 1993	23 November 1993 (CEDAW/C/SVN/1)	
Spain	4 February 1985	20 August 1985 (CEDAW/C/5/Add.30)	Sixth (1987)
Sri Lanka	4 November 1982	7 July 1985 (CEDAW/C/5/Add.29)	Sixth (1987)
Suriname	31 March 1994		
Sweden	3 September 1982	22 October 1982 (CEDAW/C/5/Add.8)	Second (1983)
Tajikistan	25 October 1994		
Thailand	8 September 1986	1 June 1987 (CEDAW/C/5/Add.51)	Ninth (1990)
Togo	26 October 1984		
Trinidad and Tobago	11 February 1991		
Tunisia	20 October 1986	17 September 1993 (CEDAW/C/TUN/1-2)	Fourteenth (1995)
Turkey	19 January 1987	27 January 1987 (CEDAW/C/5/Add.46)	Ninth (1990)
Uganda	21 August 1986	1 June 1992 (CEDAW/C/UGA/1-2)	Fourteenth (1995)
Ukraine	3 September 1982	2 March 1983 (CEDAW/C/5/Add.11)	Second (1983)
United Kingdom of Great Britain and Northern Ireland	7 May 1987	25 June 1987 (CEDAW/C/5/Add.52)	Ninth (1990)
United Republic of Tanzania	19 September 1986	9 March 1988 (CEDAW/C/5/Add.57)	Ninth (1990)
Uruguay	8 November 1982	23 November 1984 (CEDAW/C/5/Add.27)	Seventh (1988)

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
Venezuela	1 June 1984	27 August 1984 (CEDAW/C/5/Add.24)	Fifth (1986)
Viet Nam	19 March 1983	2 October 1984 (CEDAW/C/5/Add.25)	Fifth (1986)
Yemen	29 June 1985	23 January 1989 (CEDAW/C/5/Add.61)	Twelfth (1993)
Yugoslavia	28 March 1983	3 November 1983 (CEDAW/C/5/Add.18)	Fourth (1985)
Zaire	16 November 1987	1 March 1994 (CEDAW/C/ZAR/1)	
Zambia	21 July 1986	6 March 1991 (CEDAW/C/ZAM/1-2)	Thirteenth (1994)
Zimbabwe	12 June 1992		

B. Second periodic reports due as at 3 February 1995

Angola	17 October 1991		
Antigua and Barbuda	31 August 1994	21 September 1994 (CEDAW/C/ANT/1-3)	
Argentina	14 August 1990	13 February 1992 (CEDAW/C/ARG/2)	
Australia	27 August 1988	24 July 1992 (CEDAW/C/AUL/2)	Thirteenth (1994)
Austria	30 April 1987	18 December 1989 (CEDAW/C/13/Add.27)	Tenth (1991)
Bangladesh	6 December 1989	23 February 1990 (CEDAW/C/13/Add.30)	Twelfth (1993)
Barbados	3 September 1986	4 December 1991 (CEDAW/C/BAR/2-3)	Thirteenth (1994)
Belarus	3 September 1986	3 March 1987 (CEDAW/C/13/Add.5)	Eighth (1989)
Belgium	9 August 1990	9 February 1993 (CEDAW/C/BEL/2)	
Bhutan	30 September 1986		
Brazil	2 March 1989		
Bulgaria	10 March 1987	6 September 1994 (CEDAW/C/BGR/2-3)	
Burkina Faso	13 November 1992		

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
Canada	9 January 1987	20 January 1988 (CEDAW/C/13/Add.11)	Ninth (1990)
Cape Verde	3 September 1986		
China	3 September 1986	22 June 1989 (CEDAW/C/13/Add.26)	Eleventh (1992)
Chile	6 January 1995	9 March 1995 (CEDAW/C/CHI/2)	
Colombia	18 February 1987	14 January 1993 (CEDAW/C/COL/2-3)	
		2 September 1993 (CEDAW/C/COL/2-3/Rev.1)	Thirteenth (1994)
Congo	25 August 1987		
Costa Rica	4 May 1991		
Cuba	3 September 1986	13 March 1992 (CEDAW/C/CUB/2-3)	
Cyprus	22 August 1990		
Denmark	21 May 1988	2 June 1988 (CEDAW/C/13/Add.14)	Tenth (1991)
Dominica	3 September 1986		
Dominican Republic	2 October 1987	26 April 1993 (CEDAW/C/DOM/2-3)	
Ecuador	9 December 1986	28 May 1990 (CEDAW/C/13/Add.31)	Thirteenth (1994)
Egypt	18 October 1986	19 December 1986 (CEDAW/C/13/Add.2)	Ninth (1990)
El Salvador	18 September 1986	18 December 1987 (CEDAW/C/13/Add.12)	Eleventh (1992)
Equatorial Guinea	22 November 1989	6 January 1994 (CEDAW/C/GNQ/2-3)	
Ethiopia	10 October 1986	22 April 1993 (CEDAW/C/ETH/1-3)	
Finland	4 October 1991	9 February 1993 (CEDAW/C/FIN/2)	Fourteenth (1995)
France	13 January 1989	10 December 1990 (CEDAW/C/FRA/2)	
		(CEDAW/C/FRA/2/Rev.1)	Twelfth (1993)
Gabon	20 February 1988		
Germany	9 August 1990		
Ghana	1 February 1991	29 January 1991 (CEDAW/C/GHA/1-2)	Eleventh (1992)

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
Greece	7 July 1988		
Guatemala	11 September 1987	2 April 1991 (CEDAW/C/GUA/1-2 and Corr.1) 7 April 1993 (CEDAW/C/GUA/1-2/ Amend.1)	Thirteenth (1994) Thirteenth (1994)
Guinea	8 September 1987		
Guinea-Bissau	22 September 1990		
Guyana	3 September 1986		
Haiti	3 September 1986		
Honduras	2 April 1988	28 October 1987 (CEDAW/C/13/Add.9)	Eleventh (1992)
Hungary	3 September 1986	29 September 1986 (CEDAW/C/13/Add.1)	Seventh (1988)
Iceland	18 July 1990	5 May 1993 (CEDAW/C/ICE/1-2)	
Indonesia	13 October 1989		
Iraq	12 September 1991		
Ireland	22 January 1991		
Italy	10 July 1990		
Jamaica	18 November 1989		
Japan	25 July 1990	21 February 1992 (CEDAW/C/JPN/2)	Thirteenth (1994)
Kenya	8 April 1989	4 December 1990 (CEDAW/C/KEN/1-2)	Twelfth (1993)
Lao People's Democratic Republic	13 September 1986		
Liberia	16 August 1989		
Libyan Arab Jamahiriya	15 June 1994		
Luxembourg	4 March 1994		
Madagascar	16 April 1994		
Malawi	11 April 1992		
Mali	10 October 1990		
Mauritius	8 August 1989	23 February 1992 (CEDAW/C/MAR/1-2)	Fourteenth (1995)

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
Mexico	3 September 1986	3 December 1987 (CEDAW/C/13/Add.10)	Ninth (1990)
Mongolia	3 September 1986	17 March 1987 (CEDAW/C/13/Add.7)	Ninth (1990)
New Zealand	9 February 1990	3 November 1992 (CEDAW/C/NZE/2) 27 October 1993 (CEDAW/C/NZE/2/Add.1)	Thirteenth (1994) Thirteenth (1994)
Nicaragua	26 November 1986	16 March 1989 (CEDAW/C/13/Add.20)	Twelfth (1993)
Nigeria	13 July 1990		
Norway	3 September 1986	23 June 1988 (CEDAW/C/13/Add.15)	Tenth (1991)
Panama	28 November 1986		
Paraguay	6 May 1992	4 June 1992 (CEDAW/C/PAR/1-2)	
Peru	13 October 1987	13 February 1990 (CEDAW/C/13/Add.29)	Fourteenth (1995)
Philippines	4 September 1986	12 December 1988 (CEDAW/C/13/Add.17)	Tenth (1991)
Poland	3 September 1986	17 November 1988 (CEDAW/C/13/Add.16)	Tenth (1991)
Portugal	3 September 1986	18 May 1989 (CEDAW/C/13/Add.22)	Tenth (1991)
Republic of Korea	26 January 1990	19 December 1989 (CEDAW/C/13/Add.28 and Corr.1)	Twelfth (1993)
Romania	6 February 1987	19 October 1992 (CEDAW/C/ROM/2-3)	Twelfth (1993)
Russian Federation	3 September 1986	10 February 1987 (CEDAW/C/13/Add.4)	Eighth (1989)
Rwanda	3 September 1986	7 March 1988 (CEDAW/C/13/Add.13)	Tenth (1991)
Saint Kitts and Nevis	25 May 1990		
Saint Lucia	7 November 1987		
Saint Vincent and the Grenadines	3 September 1986	27 September 1991 (CEDAW/C/STV/1-3)	

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
Senegal	7 March 1990	23 September 1991 (CEDAW/C/SEN/2) (CEDAW/C/SEN/2/Amend.1)	Thirteenth (1994)
Sierra Leone	11 December 1993		
Spain	4 February 1989	9 February 1989 (CEDAW/C/13/Add.19)	Eleventh (1992)
Sri Lanka	4 November 1986	29 December 1988 (CEDAW/C/13/Add.18)	Eleventh (1992)
Sweden	3 September 1986	10 March 1987 (CEDAW/C/13/Add.6)	Seventh (1988)
Thailand	8 September 1990		
Togo	26 October 1988		
Tunisia	20 October 1990	17 September 1993 (CEDAW/C/TUN/1-2)	Fourteenth (1995)
Turkey	19 January 1991	7 February 1994 (CEDAW/C/TUR/2)	
Uganda	21 August 1990	1 June 1992 (CEDAW/C/UGA/1-2)	Fourteenth (1995)
Ukraine	3 September 1986	13 August 1987 (CEDAW/C/13/Add.8)	Ninth (1990)
United Kingdom of Great Britain and Northern Ireland	7 May 1991	11 May 1991 (CEDAW/C/UK/2) (CEDAW/C/UK/2/Amend.1)	Twelfth (1993)
United Republic of Tanzania	19 September 1990		
Uruguay	8 November 1986		
Venezuela	1 June 1988	18 April 1989 (CEDAW/C/13/Add.21)	Eleventh (1992)
Viet Nam	19 March 1987		
Yemen	29 June 1989	8 June 1989 (CEDAW/C/13/Add.24) (CEDAW/C/13/Add.24/ Amend.1)	Twelfth (1993)
Yugoslavia	28 March 1987	31 May 1989 (CEDAW/C/13/Add.23)	Tenth (1991)
Zaire	16 November 1991		
Zambia	21 July 1990	6 March 1991 (CEDAW/C/ZAM/1-2)	Thirteenth (1994)

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
C.	Third periodic reports due as at 3 February 1995		
Antigua and Barbuda	31 August 1998	21 September 1994 (CEDAW/C/ANT/1-3)	
Argentina	14 August 1994		
Australia	27 August 1992		
Austria	30 April 1991		
Bangladesh	6 December 1993	26 January 1993 (CEDAW/C/BDG/3)	
Barbados	3 September 1990	4 December 1991 (CEDAW/C/BAR/2-3)	Thirteenth (1994)
Belarus	3 September 1990	1 July 1993 (CEDAW/C/BLR/3)	
Belgium	9 August 1994		
Bhutan	30 September 1990		
Brazil	2 March 1993		
Bulgaria	10 March 1991	6 September 1994 (CEDAW/C/BGR/2-3)	
Canada	9 January 1991	9 September 1992 (CEDAW/C/CAN/3)	
Cape Verde	3 September 1990		
China	3 September 1990		
Colombia	18 February 1991	14 January 1993 (CEDAW/C/COL/2-3) 2 September 1993 (CEDAW/C/COL/2-3/Rev.1)	Thirteenth (1994)
Congo	25 August 1991		
Cuba	3 September 1990	13 March 1992 (CEDAW/C/CUB/2-3)	
Cyprus	22 August 1994		
Denmark	21 May 1992	7 May 1993 (CEDAW/C/DEN/3)	
Dominica	3 September 1990		
Dominican Republic	2 October 1991	26 April 1993 (CEDAW/C/DOM/2-3)	
Ecuador	9 December 1990	23 December 1991 (CEDAW/C/ECU/3)	Thirteenth (1994)
Egypt	18 October 1990		
El Salvador	18 September 1990		

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
Equatorial Guinea	22 November 1993		
Ethiopia	10 October 1990	22 April 1993 (CEDAW/C/ETH/1-3)	
France	13 January 1993		
Gabon	20 February 1992		
Germany	9 August 1994		
Ghana	1 February 1995		
Greece	7 July 1992		
Guatemala	11 September 1991		
Guinea	8 September 1991		
Guinea-Bissau	22 September 1994		
Guyana	3 September 1990		
Haiti	3 September 1990		
Honduras	2 April 1992	31 May 1991 (CEDAW/C/HON/3)	Eleventh (1992)
Hungary	3 September 1990	4 April 1991 (CEDAW/C/HUN/3)	
Iceland	3 July 1994		
Indonesia	13 October 1993		
Ireland	22 January 1995		
Italy	10 July 1994		
Jamaica	18 November 1993		
Japan	25 July 1994	28 October 1993 (CEDAW/C/JPN/3)	Thirteenth (1994)
Kenya	8 April 1993		
Lao People's Democratic Republic	13 September 1990		
Liberia	16 August 1993		
Mali	10 October 1994		
Mauritius	8 August 1993		
Mexico	3 September 1990	1 December 1992 (CEDAW/C/MEX/3)	
Mongolia	3 September 1990		
New Zealand	9 February 1994		

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
Nicaragua	26 November 1990	15 October 1992 (CEDAW/C/NIC/3)	Twelfth (1993)
Nigeria	13 July 1994		
Norway	3 September 1990	25 January 1991 (CEDAW/C/NOR/3)	Fourteenth (1995)
Panama	28 November 1990		
Peru	13 October 1991		
Philippines	4 September 1990	20 January 1993 (CEDAW/C/PHI/3)	
Poland	3 September 1990	22 November 1990 (CEDAW/C/18/Add.2)	Tenth (1991)
Portugal	3 September 1990	10 December 1990 (CEDAW/C/18/Add.3)	Tenth (1991)
Republic of Korea	26 January 1994		
Romania	6 February 1991	19 October 1992 (CEDAW/C/ROM/2-3)	Twelfth (1993)
Russian Federation	3 September 1990	24 July 1991 (CEDAW/C/USR/3)	Fourteenth (1995)
Rwanda	3 September 1990	18 January 1991 (CEDAW/C/RWA/3)	Twelfth (1993)
Saint Kitts and Nevis	25 May 1994		
Saint Lucia	7 November 1991		
Senegal	7 March 1994		
Saint Vincent and the Grenadines	3 September 1990	27 September 1991 (CEDAW/C/STV/1-3)	
Spain	4 February 1993		
Sri Lanka	4 November 1990		
Sweden	3 September 1990	3 October 1990 (CEDAW/C/18/Add.1)	Twelfth (1993)
Thailand	8 September 1994		
Togo	26 October 1992		
Tunisia	20 October 1994		
Turkey	19 January 1995		
Uganda	21 August 1994		

States parties	Date due a/	Date of submission	Considered by Committee (session (year))
Ukraine	3 September 1990	31 May 1991 (CEDAW/C/UKR/3)	
United Republic of Tanzania	19 September 1994		
Uruguay	8 November 1990		
Venezuela	1 June 1992	8 February 1995 (CEDAW/C/VEN/3)	
Viet Nam	19 March 1991		
Yemen	29 June 1993	13 November 1992 (CEDAW/C/YEM/3)	Twelfth (1993)
Yugoslavia	28 March 1991		
Zambia	21 July 1994		
D. Fourth periodic reports due as at 3 February 1995			
Norway	3 September 1994	1 September 1994 (CEDAW/C/NOR/4)	Fourteenth (1995)
Russian Federation	3 September 1994	1 September 1994 (CEDAW/C/USR/4)	Fourteenth (1995)
E. Reports submitted on an exceptional basis			
Bosnia and Herzegovina		1 February 1994 oral report (see CEDAW/C/SR.253)	Thirteenth (1994)
Croatia		15 September 1994 (CEDAW/C/CRO/SP.1)	Fourteenth (1995)
Federal Republic of Yugoslavia (Serbia and Montenegro)		2 December 1993 (CEDAW/C/YUG/SP.1) 2 February 1994 oral report (see CEDAW/C/SR.254)	Thirteenth (1994)

a/ One year prior to the due date, the Secretary-General invites the State party to submit its report.